

HOUSE JOURNAL
OF
THE LEGISLATIVE ASSEMBLY
OF THE
TERRITORY OF WYOMING.

First Session.

CONVENED AT CHEYENNE, OCTOBER 12, 1869.

PUBLISHED BY AUTHORITY.

CHEYENNE, W. T.
PRINTED BY S. ALLAN BRISTOL, TRIBUNE OFFICE, COR. 17TH AND FERGUSON STS.
1870.

WYOMING STATE LIBRARY

11148

HOUSE JOURNAL
OF THE
FIRST LEGISLATIVE ASSEMBLY
OF THE
TERRITORY OF WYOMING.

FIRST DAY.

HOUSE OF REPRESENTATIVES, }
October 12, 1869.

TEMPORARY ORGANIZATION.

At the first regular session of the first legislative assembly of the territory of Wyoming, the house met pursuant to the proclamation of his excellency, Governor J. A. Campbell.

The house was called to order by the Hon. E. M. Lee, secretary of the territory.

The following gentlemen, having answered to their names and presented their certificates of election, signed by his excellency, the governor, were admitted and took their seats:

J. C. Abney, of Laramie county.

Posey S. Wilson, of Laramie county.

Wm. Herrick, of Albany county.

J. N. Douglass, of Albany county.

Louis Miller, of Albany county.

S. M. Curran, of Carbon county.

Jas. W. Menefee, of Carter county.

The oath of office was then administered to the members by his honor, Chief Justice Howe.

On motion of Mr. Curran, Mr. Herrick, of Albany county, was appointed speaker *pro tem*.

On motion of Mr. Curran, L. L. Bedell was appointed clerk, *pro tem*.

On motion of Dr. J. N. Douglass, Wm. C. Stanley was appointed assistant clerk, *pro tem*.

On motion of Mr. Abney, Wm. Baker was appointed door-keeper, *pro tem*.

On motion, the house took a recess till 2½ o'clock P. M.

AFTERNOON SESSION.

The house met at 2½ o'clock.

Mr. Herrick in the chair.

Roll was called.

Messrs. Curran, Douglass, Haas, Miller, Menefee, Wilson and Mr. Speaker present.

On motion of Mr. Douglass, the house adjourned until ten o'clock a. m. on Wednesday morning.

L. L. BEDELL,

Chief Clerk of the House.

SECOND DAY.

HOUSE OF REPRESENTATIVES, }
October 13, 1869.

The house met pursuant to adjournment at ten a. m.

Mr. Herrick in the chair.

Roll was called, and a quorum found present.

On motion, further proceedings under call of the house were dispensed with.

The chief clerk, *pro tem*., read the journal of the preceding day.

Messrs. Strong, Seabee and Haas presented their credentials to the secretary of the territory, and were sworn into office by the Hon. Chief Justice Howe.

On motion of Mr. Douglass, a committee was appointed on credentials.

The speaker appointed Messrs. Abney, Miller and Menefee such committee.

The committee on credentials reported as follows:

We find the following named gentlemen entitled to seats in the house:

From Laramie county, Howard Seabee, Posey S. Wilson, James C. Abney, Herman Haas.

From Albany county, William Herrick, J. N. Douglass, and Louis Miller.

From Carbon county, S. M. Curran.

From Carter county, J. W. Menefee.
Representative at large, J. C. Strong.

JAMES C. ABNEY.

Chairman.

On motion of Mr. Curran the report was received, and the committee discharged from further duty.

On motion of Mr. Miller a committee of three was appointed on permanent organization.

Messrs. Strong, Wilson and Haas were appointed such committee.

Committee on permanent organization reported as follows:

For Speaker, S. M. Curran.

For Chief Clerk, L. L. Bedell.

For Assistant Clerk, Wm. C. Stanley.

For Enrolling Clerk, Geo. E. Talpey.

For Engrossing Clerk, E. McEvena.

For Sergeant-at-arms, William Baker.

For Foreman, W. C. Perrin.

For Page, Montie Meerholz.

On motion, the nominations contained in the report were acted on singly.

Mr. J. C. Strong was put in nomination for Speaker.

On motion, the house proceeded to ballot for speaker.

On the first ballot Mr. Strong received four votes, and Mr. Curran four votes.

Mr. Strong withdrew his name as a candidate for speaker.

On motion, Mr. S. M. Curran was declared elected speaker by acclamation.

The speaker elect was escorted to the chair by Mr. Herrick, speaker *pro tem.*, and the oath of office administered by the honorable chief justice Howe.

On motion, L. L. Bedell was declared elected chief clerk by acclamation.

Nominations being in order, on motion, Wm. C. Stanley was declared elected assistant clerk by acclamation.

Nominations being in order, on motion, Geo. E. Talpey was declared elected enrolling clerk by acclamation.

Nominations being in order, on motion, E. McEvena was declared elected engrossing clerk by acclamation.

Nominations being in order, on motion, Wm. Baker was declared elected sergeant-at-arms by acclamation.

Nominations being in order, on motion, Wesley C. Perrin was declared elected foreman by acclamation.

Nominations being in order, on motion, Montie Meerholz was declared elected page by acclamation.

On motion the election of chaplain was deferred until Thursday morning.

The following message was received from the council announcing the permanent organization of that body.

COUNCIL CHAMBER, CHEYENNE, W. T. }
October, 13th, 1869. }

Mr. Speaker of the House of Representatives:

I am instructed to inform your honorable body that the council is permanently organized by the election of the following officers:

W. H. Bright, President.

Edward Orpen, Secretary.

Mark Parrish, Assistant Secretary.

C. H. Moxley, Sergeant-at-arms.

J. R. Rockwell, Enrolling Clerk.

Wm. B. Rines, Engrossing Clerk.

Peter Lemons, Messenger.

Rev. Mr. Poole, Chaplain.

Henry Arensfeldt, Foreman.

And has appointed a committee consisting of Messrs. J. R. Whitehead, T. D. Murrin and George Wardman a portion of a joint committee to inform his excellency, Governor J. A. Campbell, that both houses are permanently organized, and are ready to receive any communication he may desire to make.

EDWARD ORPEN,

Secretary of the Council.

The speaker announced the house permanently organized by the election of permanent officers.

On motion of Mr. Douglass, a committee was appointed to wait on the secretary of the territory, to announce the permanent organization of the house, and to request the Hon. Chief Justice Howe to administer the oath of office to the officers elect.

On motion of Mr. Miller, a committee of three was appointed to inform the council that the house was permanently organized by the election of permanent officers, and also to act in conjunction with a similar committee of the council, to notify his excellency, the governor, that both houses were permanently organized by the election and qualification of officers, and they would be ready, in the house of representatives, at twelve o'clock noon, to receive any communication he may have to make to them.

On motion, a recess was taken for thirty minutes.

House met at 12:15 P. M.

The council arrived, and both houses went into joint session, the president of the council in the chair.

Mr. Wardman, chairman of the joint committee appointed to wait on the governor, announced the presence of his excellency,

The governor was introduced to the members of both houses present, when he delivered the following message:

GOVERNOR'S ADDRESS

TO THE

First Legislative Assembly of Wyoming Territory:

Fellow Citizens of the Council and of the House of Representatives:

It affords me pleasure to welcome the representatives of the people of Wyoming territory, met together for the first time in our history in a legislative capacity. The duties devolving upon you are arduous and of the most important character that will probably fall to any legislative assembly convened during our territorial organization. Coming together as the pioneers of a future state, I trust that this initial point in our history will be marked by no personal discensions, no mere partisan schemes, and no local jealousies, but that we may work unitedly for the common good of the whole territory, and through it for the common good of our whole country. In this way and in this way alone can we secure our own self-respect, the esteem of our cotemporaries and the regard of posterity.

TERRITORIAL ORGANIZATION.

A brief glance at what has already been accomplished in the way of a territorial organization may assist us to a better understanding of our present condition:

On the 25th day of July, 1868, the "act to provide a temporary government for the territory of Wyoming," was approved by the President and became a law. The seventeenth section of this act provided that the act should take effect from and after the time when the executive and judicial officers therein provided for should have been duly appointed and qualified. From causes which it is not necessary here to enumerate, these officers were not appointed and qualified until the 15th day of April, 1869, when the governor and secretary qualified in their respective offices. On the 19th day of May, 1869, the judicial officers having qualified, and the organization of the territory having been completed as required by law, I issued my first proclamation defining the judicial districts of the territory, assigning the judges to the several districts, and designating the times and places for holding courts therein. On the 9th day of June the second proclamation was issued. It was intended merely to supply an omission in the first, and attached for judicial purposes to the county of Carter and

third judicial district, that portion of Wyoming detached from the territories of Idaho and Utah. Under these and subsequent proclamations, terms of the district courts have been held in each of the districts. A large amount of business has been brought before the courts and disposed of in a manner highly creditable to the officers of the several courts, and it is believed to the very general satisfaction of all law abiding citizens of the territory.

CENSUS.

In the meantime, the United States Marshal was instructed, on the 28th day of May, to take "a census or enumeration of the inhabitants of the several counties or districts of the territory," as provided by the fourth section of the organic act. The marshal proceeded with due diligence to the execution of the duties imposed upon him, but owing to vexatious and unavoidable delays, occasioned by the declination or refusal to act of some of the deputies, and other causes growing out of the sparseness of the population, and wide extent of territory to be traversed, the full returns of the census were not received until after the 30th day of July.

ELECTION.

On the 2d day of August, a proclamation was issued, as provided in the fourth section of the organic act, calling an election to be held at the several precincts therein designated, on the 2d day of September, for members of the legislative assembly, and for a delegate to represent the people in the forty-first congress. The election was held at the time designated, and as one of its results, there was delegated to you the responsible duty of framing the first laws for our local government. Estimates of the expenses incurred in taking the census and holding the election, together with the returns received, will be submitted to you for your information and action.

APPOINTMENTS.

On my first arrival in the territory, a number of cases were reported to me of vacancies in office, and of persons holding office under doubtful authority. In some such cases I have filled the vacancies by appointment, and I have issued new commissions to those whose authority to act as officers was doubtful. In other cases where there appeared to be no immediate necessity for filling the offices, I have made no appointments, and the vacancies still exist.

INDIAN RAIDS AND MILITIA.

On the 10th of May, the Sioux Indians made an incursion into the Wind River Valley, where they murdered four white men, stole a number of horses and mules, and escaped with their booty. The facts were reported to me by the county commissioners of Carter county, with the request that troops might be sent for the

protection of the citizens. On my report of the facts to the commander of the military department of which this territory is a part, he promptly responded that he would furnish the troops as soon as it was possible, and soon after, he sent to the Wind River Valley one company of infantry and one company of cavalry, one of which is still in the valley.

On the 3d day of July, the Sioux made another inroad into the valley and carried off some stock. And again, on the 14th of September, they came into the valley and murdered four white persons, but were driven off with considerable loss by the troops. On the 28th of the same month they made a raid on the mining settlements and murdered three miners near Atlantic City, escaping unmolesed. Immediately after the raid in July, at the request of prominent citizens, I applied to the department commander for arms and ammunition, to which request he responded by telegraphing to Fort Bridger an order to have the arms and ammunition sent at once to the county commissioners at South Pass City, for distribution to the citizens in threatened localities. These arms have been receipted for by the county commissioners of Carter county, who are held personally accountable for them, and who also paid for their transportation to South Pass City. This responsibility is one which it is unjust to compel them to assume, and from which they should be relieved. In order to place it where it properly belongs, and at the same time provide more efficient means for the protection of the settlers against Indian raids, I recommend the passage of a militia law, providing for the formation of volunteer companies, or the enrollment of all persons liable to military duty, under such rules and regulations as you may deem proper. Upon my application, the secretary of war promised to furnish me the quota of arms to which the territory is entitled under the laws of Congress, and as soon as it is decided what kind of arms are needed for militia, they can be procured.

I have thus given briefly a sketch of the organization of the territory so far it has been effected, and the principal events that have occurred in it since its organization. The future is in your hands and the hands of the people whom you represent.

EXTENT OF THE TERRITORY.

The territory of Wyoming is rectangular in form, and extends from the twenty-seventh to the thirty-fourth meridian of longitude, and from the forty-first to the forty-fifth degrees of latitude, embracing an area of some 97,600 square miles, or about 62,464,243 acres.

Our climate presents the most agreeable conditions of climatic influences on earth, and we have well grounded reasons for believing that on our soil and underneath it are to be found all that can be desired to insure for our young territory a growth in wealth and prosperity unsurpassed even by the marvellous progress

of the rich and populous states, which were but a few years since the territories of the west.

AGRICULTURE.

It is impossible at present, to estimate properly the agricultural capabilities of our soil. We have long known that in the rich valleys of our mountain streams, the cereals, vegetables, and other products, grow as luxuriantly as in the most favored regions of the temperate zone. Such is the unvarying testimony of the travelers who have explored these valleys, confirmed by the more recent experience of settlers, all of whom are delighted with their salubrity of climate and fertility of soil. In the present season, experiments are being made by public spirited citizens, which so far as they have advanced, have produced the most favorable and encouraging results, and prove that by a proper system of irrigation, there is but a small portion of our soil, if any, that may not be made to produce the kindly fruits of the earth in due season. In addition to this, the great climatic change that has taken place since the settlement of the territory, warrants us in indulging the hope that in the not far distant future a sufficient quantity of rain will fall each season, to bring forth and mature the season's crop.

TREES.

One of the greatest inconveniences under which we labor, is the scarcity of timber for use, and trees for fruit, shade, and adornment. It is known that trees will grow in almost all portions of the territory, and I would recommend that you devise such constitutional means as are in your power to encourage their culture.

STOCK RAISING.

In the chosen home of the buffalo and other graminivorous animals, which have for unnumbered years roamed over our plains, and subsisted upon their succulent and nutritious grasses, it would seem almost superfluous to say anything in relation to our advantages as a stock growing country, or the wisdom and propriety of passing such laws as will give protection to herds and flocks, and thus encourage our people to engage in pastoral pursuits. In a climate so mild that horses, cattle, sheep and goats, can live in the open air through all the winter months, and fatten on the dry and apparently withered grasses of the soil, there would appear to be scarcely a limit to the number that could be raised.

There is an old Spanish proverb that "wherever the foot of the sheep touched, the land is turned into gold," and the dry, gravelly soil of our plains is peculiarly adapted for raising sheep, for, while it produces the richest of grasses for their consumption, it is of a character that prevents their feet from the diseases most

fatal to the flocks. As it is well known that the finer wools are grown at great altitudes, we should be able to supply the world with almost unlimited quantities of the best wool. While it may be justly deemed a reproach to the country at large that the United States has been for years past an importer of wool to the average amount fifty millions of pounds per annum, it is a source of satisfaction to us to know that there is a ready market at our doors among our own countrymen for so large an amount of all that we can grow.

It is not sheep alone of the wool bearing animals that can be made so profitable on our plains. Our mountain ranges are in many respects reduplications of the country in which the most valuable and most delicate varieties of the Cashmere or Angora goats are raised, as those flocks which browse on the shrubs growing at high altitudes in the rare, dry atmosphere of the mountains, invariably produce the longest and finest fleece. The importation of these goats into our territory should be encouraged.

Unnumbered cattle must be raised and fattened on our soil, and with the cheap railroad freights which we have a right to expect, the herdsman of our plains, while advancing his own fortunes, will prove a benefactor to the laboring classes of the east, by bringing the price of the best of beef within the limit of their means.

PETROLEUM.

In different and widely separated portions of our territory, large quantities of petroleum have been discovered, rendering it certain that in the not very distant future this will prove one of our great sources of wealth.

MINING INTERESTS.

The incalculable mining resources of our territory demand your most serious and careful consideration. Although we are accustomed to look upon mines when they are first discovered as capable of yielding an unfailing supply of minerals, all experience points to the fact that the supply in a mine or mining district is limited, and the mines especially of the precious metals are sooner or later exhausted. I believe it is the duty of all governments to look more closely to these than to any other of our material interests. It is our duty to carefully watch the unlocking of what has been so aptly described as "the strong box of the country," because, once carried away, its treasures can never be replaced, while other sources of wealth can only be retarded in their development, but never destroyed. The farmer may, by rotation of crops or by resting his exhausted fields, recuperate his worn out soil. The shepherd and herdsman, so long as they have the land, may raise other flocks and herds in place of those slaughtered for the market or which have fallen victims to disease. But when minerals are taken from the earth they are not to be replaced. So much wealth has been taken from the earth—the precious

metals—to form the circulating medium of the world, and the iron, copper, and other of the baser metals, to be reproduced and manufactured into the thousand of imperishable, useful and beautiful forms which the growth of an enlightened civilization has made almost as much necessities for our people as the perishable products of the soil. Indications of the existence of silver, copper and lead ore, and other minerals, have been discovered in various portions of the territory, and will, no doubt, in time, prove remunerative to those who will work the mines. Our immense deposits of valuable iron ore can be transmuted almost on the spot where it is taken from the earth, into iron of the best quality. Our vast coal beds supply us with a coal which has in it no trace of sulphur, and requires no preparation to make it useful for blasting purposes. These coal beds obviate the necessity for wood for fuel, by yielding us a hard, bituminous coal of as good a quality as has been discovered in any other mines in the country. More than this, they have made the successful working of the Pacific railroad no longer a problem. They will enable us to supply the markets of the treeless plains east of us, and of the Pacific slope of the mountains. They will give employment to thousands of laborers, and prove a source of untold wealth to our future State.

GOLD MINES.

On the slopes of the several eastern ranges of the Rocky Mountains, where they descend into the rich valleys of our mountain streams, have been discovered indications of the richest gold bearing districts that have ever yet been opened upon this continent. In but two of those districts, one near the head of the Sweetwater river, and the other near the North Park, on the southern borders of our territory, have the mines been even partially developed, and the results obtained in these districts have been of a character to justify us in indulging the highest hopes of their immense resources. The quartz rock is unusually rich, showing numerous traces of free gold; it is free from sulphurets or other refractory mineral substances, and readily yields to ordinary treatment. Water is easily procured, and gulch mining is extraordinarily profitable.

Wise laws for the regulation of mining and protection of miners should be enacted. In the enactment of these laws it is a difficult question to decide where your duty to the government ends and encroachment on the rights of the private citizen begins, but fortunately you have past experience to guide you. It might be a proper subject for your consideration whether it is within the province of the legislature to enact such laws as will prevent an ignorant, wasteful and destructive system of mining. The history of mining jurisprudence is almost entirely made up of cases arising out of disputed claims and titles. It is simple justice to

the miners to enact laws such as will enable them to procure proper and undisputable titles to their mines. By this course the best interests of our mines and of our whole people will be subserved, as capitalists will have no hesitancy in making investments in mines which are sure not only to yield a profitable return, but where they can also feel assured that their rights and interests will be protected during their personal absence, by all the solemn guarantees of law.

GENERAL OBSERVATIONS.

I would by no means advocate the fostering of one interest to the detriment of others, but our agricultural, pastoral, mining, manufacturing and commercial interests are so intimately blended, so dependent one upon the other for their full and complete development, that to foster one interest will almost necessarily result in stimulating and sustaining the other sources of our wealth. The large mining districts will require food, and no more productive soil can be found for the agriculturist than the rich valleys into which the gold bearing slopes descend. Our grazing lands will subsist horses and oxen for their daily uses, furnish beef and mutton for their daily consumption, and wool for their clothing; and this wool will bring a manufacturing population in our midst, whose engines and looms will be made from the iron now hidden in our soil, and propelled by coal taken from our vast coal beds.

Let no one imagine that I am drawing an imaginary sketch or speaking other words than those of truth and soberness. The realities of the past half century, even of the past two score years, are to us prophecies, not simply of the possibilities but of the probabilities of our almost immediate future. These wonders in our country are the results under the providence of God, of labor intelligently directed and perseveringly applied.

BUREAU OF STATISTICS.

In order to properly direct, and also to ascertain the results of the labor of the thousands of immigrants that will doubtless, at an early day, fill up our territory; I respectfully recommend to your consideration, the establishment of a Bureau of Statistics, under charge of a commissioner, whose duty it would be to collect all information in relation to our history, resources, progress in agriculture, mining, manufactures, commerce, and all other information in relation to the territory, which might be of present or permanent interest. Such a bureau would enable our legislative and executive departments to act intelligently in all their projects for the advancement of the interests of Wyoming. If it is deemed unadvisable, from motives of economy, to increase the number of offices in the infancy of our territory, this duty might be devolved upon one of the territorial officers, in connection with his other duties.

IMMIGRATION.

The encouragement of immigration is of the greatest importance to us. The incalculable wealth of our plains, valleys, and hills will be of no benefit to us, if we do not obtain the labor that will make that wealth available. The emigrants of the old world are flocking to a country where the poorest citizen is under the protection of law equally with the richest. It is this class of emigrants we should secure. Descended from the same ancestors, of kindred blood and religion, they would rapidly assimilate and become as one with us. We should have upon our soil, as nearly as possible a homogenous people, if we expect to make sure progress in our moral and material prosperity. But while this class of permanent settlers are most desirable, we should remember that all labor is profitable, and that all immigrants of whatever nationality, who will aid us in the development of the resources of our territory, should be aided and encouraged to come among us. It should be the duty of the commissioner of statistics to collect and disseminate information in relation to our territory in such way as might be deemed most advisable, and best calculated to induce immigrants to make their homes with us. I would respectfully recommend that an appropriation from the treasury be made for this purpose.

EDUCATION.

The subject of education will doubtless receive your early attention. In laying the foundation of a new State, this should be the corner stone, for without it no durable political fabric can be erected. It matters little how great our material prosperity may be, if our moral and intellectual growth does not keep pace with it. It is a duty we owe not only to ourselves and to our posterity, but to all mankind. In the diffusion of knowledge among the people rests our only hope for the preservation of our free institutions. During the late war, when armed treason attempted the destruction of our government, it was from those sections where school houses and churches were most numerous that the greatest number sprang to arms to defend the institutions, that education received in those churches and school houses taught them to appreciate. Let us remember, also, that "righteousness exalteth a nation." The church follows the school house. They mutually support each other, and when the state builds the one, the people are soon educated to build the other. Now, in the infancy of our territory, let the fostering aid and encouragement of the government be given to every scheme for the advancement of education, and to establish as the corner stone of our embryo state the principle of universal, free, common school education.

PACIFIC RAILROAD.

In one particular, our situation as a territory is entirely new and somewhat anomalous for pioneers. For the first time in the

history of our country the organization of a territorial government was rendered necessary by the building of a railroad. Heretofore the railroad has been the follower instead of the pioneer of civilization. It is our duty to so shape our action in all the departments of the territorial government, as to assist in carrying out the objects which the government and the projectors and builders of the road had in view. We should never forget what the world owes to the men who had the wisdom to conceive this vast undertaking, and the ability to execute it. At the same time it is a duty that we who dwell upon the line of the road owe not only to ourselves, but also to the nation which in so princely manner gave of its treasure to build the road, to see as far as in us lies that it is not diverted from its original object. We should endeavor by all proper means, and by representations to the proper authorities, to secure that low tariff for freights and passengers, which it is equally for the interests of the railroad company to grant, and for our benefit and the benefit of the whole country to obtain.

THE INDIANS.

There is now within the limits of the territory, one Indian reservation proper, which includes what is known as the Wind River country, being the valleys watered by the Wind River and its tributaries. This extensive and valuable portion of the territory is the natural basin from which agricultural supplies for our mining districts should be drawn. The valleys of these streams are capable of affording a cheap and abundant supply to our miners of all the products of the soil, and no one can doubt that this will be their use at no distant day. In addition to this Shoshone reservation, a treaty concluded with the Sioux Indians at Fort Laramie, on the 29th day of April, 1868, stipulates that the country north of the North Platte River and east of the summit of the Big Horn Mountains, shall be held and considered to be unceded Indian territory, and also stipulates that no white person shall be permitted to settle upon or occupy any portion of it; or without the consent of the Indians first had and obtained, to pass through the same. These lands comprise more than one-fourth of the finest and richest portion of our territory—our strong box and our garden spots. Under the present wise and judicious policy of the government to collect the Indians on their reservations, where they are to be taught the arts of civilization, and instructed in the cultivation of the soil, these unceded Indian lands must soon be abandoned by the Sioux, and they will be restricted to their reservations proper. I trust that, as the Indians have already violated the treaty, it will be entirely abrogated by our government, and this vast extent of territory given up to civilization. I hope also that the reservation for the Shoshone Indians will be restricted so far as to give to each Indian as much arable land as will by proper cultivation yield him a support, and no more. This the Indian has a right to ask. It

is a mistaken kindness to give him more, and so long as these immense reservations are kept up, so long will Indian troubles continue, and the settlement of the country be retarded. There is but one honorable, legitimate way in which these lands can be settled, and that is by securing a modification of the treaty with the Indians. As long as these treaties are in force they are the law of the land, and as such, will be respected by all good, law abiding citizens. It is our duty to see that these treaties, which are the most sacred of laws, should be faithfully carried out on our part. The Indian is jealous of his rights, and when his domain is invaded, it is the white race that he holds responsible, and not any particular individual, and it is on the nearest of the race that he wreaks his vengeance. In addition to this, it is at present only the reckless adventurer that profits by these encroachments on Indian territory. Honorable men, respecting the laws of the land, cannot be induced to break the faith of the government, and jeopardize the lives and property of innocent citizens, by encroaching upon the land and exasperating unreasoning savages.

GAME LAWS.

At present an abundance of game is roaming over our plains, and the finest and most delicate fish abound in our waters, which will, so long as they can be saved from wanton destruction, prove a constant source of pleasure to sportsmen and of revenue to the hunter. I would earnestly recommend the passage of laws for the protection of game and fish during the breeding season, in order that the constantly recurring supply may be had for our use.

REGISTRY LAW.

Every effort should be made to preserve the purity of elections, without which our boasted free institutions are a delusion and a cheat, and as experience has demonstrated that a registration of voters is of the greatest assistance in preserving the purity of the ballot box, I would respectfully urge upon you the passage of a registry law providing for such registration.

CODE OF LAWS.

The adoption of a code of civil and criminal procedure for the territory is of vital importance. As your session is limited by law, and so many subjects will be pressing upon you for action, I would respectfully suggest that the preparation of a code be referred by you to a commission, to consist of the chief justice of the territory and such other persons learned in the law, as he may select. The code should be prepared and presented to you for your action and approval at as early a day in the session as practicable.

SALARIES OF THE JUDICIARY.

Your attention is invited to the inadequate salary given the judiciary of the territory. It should be remembered that these officers are prohibited by their position from engaging in the practice of their profession, and the small salary they receive is all that they can rely on for their support. I would suggest that you take into consideration the propriety of making an appropriation from the territorial treasury for increasing their salary to a sum in some measure commensurate with the value of their services, the amount of labor they perform, and the high price of living in the territory.

LAND OFFICE.

We are at present laboring under great inconvenience on account of the failure of congress to establish a Land Office in the territory. An appropriation was made for surveying the public lands of Wyoming, but from some cause the bill for establishing a Land Office did not pass. This is of the greater importance, from the fact that the improvement of the soil will not be undertaken within ten miles of the railroad on either side, so long as there exists the present uncertainty as to whether the land belongs to the government or the railroad company. I do not doubt, however, that congress, which has always been liberal and generous in its course towards the people of the territories, will remedy this at its next session.

PENITENTIARY.

By an act of congress approved 22d January, 1867, the net proceeds of the internal revenue in certain territories of the United States, to the amount of forty thousand dollars in each, was set aside for the purpose of erecting penitentiaries at such places in the several territories as might be selected by their respective legislatures. Under an arrangement I have entered into with the superintendent of the House of Correction, at Detroit, Michigan, for the confinement and subsistence of prisoners convicted in our territorial courts, the details of which will be submitted to you for your approval or disapproval. All criminals must be transported to Detroit, at considerable expense, and with great liability of their escaping. From motives of economy and prudence, we should have a penitentiary at some accessible point in our territory, and it would be well for you to select a site for a penitentiary at your present session, in order, that should congress pass a law authorizing the retaining of any sum from the internal revenue collected in the territory, for the purpose of building the penitentiary, the work may be proceeded with without delay. The territory of Dakota has thus far reaped the benefit of the revenue collected in what now forms the territory of Wyoming.

TERRITORIAL LIBRARY.

I am informed by the secretary of the interior that he has in his possession a number of volumes of "state papers" and other public documents, which will be forwarded for the public library in case the territory will pay for their transportation. I would recommend an appropriation for this purpose, and for the establishment of a territorial library.

COUNTY ORGANIZATION.

That portion of Wyoming detached from the territories of Utah and Idaho is without a county organization, and it will be necessary for you to take action to remedy the inconvenience attending this condition of affairs.

ECONOMY.

I desire to most earnestly impress upon you the necessity for the most rigid economy in making appropriations for the administration of the territorial government. Scan closely every project for taking money from the public treasury. A heavy debt has been incurred by our government in the successful prosecution of a war to prevent the disruption of our beloved country, and we are called upon to bear our share of the honorable burden. In view of this fact, our territorial taxes should be made as light as possible. Let us make economy the rule here, as it is in the national administration. Let us incur no debt that can possibly be avoided. Let each day bear the day's burdens, and all will be well for ourselves and for our posterity.

TERRITORIAL OFFICERS.

I take pleasure in assuring you of my hearty support, and think I may safely promise you the intelligent and cordial co-operation of my associates in the territorial offices, in all your projects for the development of the resources of the territory, and the advancement of her true interests.

CONCLUSION.

In conclusion, I cannot but congratulate you upon the favorable auspices under which you are assembled. Peace is within our borders. Concord and good feeling are taking the place of the discord and animosities engendered by the war. In the wake of peace will follow all the national blessings. Although we can take no part in national politics, we rejoice that we have an administration from which we may confidently expect adherence to the fundamental principles of our government. We rejoice that we are citizens of an undivided country, almost boundless in extent and inexhaustible in resources. God grant that we may all prove worthy of these blessings, and that your deliberations may be alike honorable to yourselves and creditable to our country.

J. A. CAMPBELL.

After the delivery of the message the following resolution was introduced by Mr. Whitehead :

Resolved, That the thanks of both houses be tendered to his excellency, the governor, for his message.

Adopted.

The members of the council then retired.

On motion, the house took a recess for one hour.

At 2 P. M. the house met.

Roll was called and a quorum found not present.

Absent members were sent for.

On motion of Mr. Douglass, further proceedings under call of the house were dispensed with.

On motion of Mr. Douglass, a committee of three was appointed to draft rules for the government of the house.

The speaker appointed Messrs. Douglass Menefee and Strong such committee.

On motion of Mr. Douglass, a committee was appointed to wait on the secretary of the territory to inquire as to what arrangements had been made for the reception of mail matter and newspapers.

Messrs. Wilson, Seabee and Herrick were appointed such committee.

On motion of Mr. Abney, the house went into committee of the whole.

Mr. Abney was called to the chair.

After some time spent in deliberation the committee arose to report.

The following message was received from the council :

COUNCIL CHAMBER, CHEYENNE, W. T. }
October, 1st, 1869. }

Mr. Speaker of the House of Representatives :

I am instructed by the council to communicate to your honorable body that a committee composed Messrs. Poole, Wardman and Brady was appointed to report on regulations, rules and standing committees. They request that a similar committee be appointed by your honorable body to act jointly with them in enacting rules, &c. for the government of both houses.

EDWARD ORPEN,

Secretary of the Council.

On motion, a committee was appointed to act in conjunction with a similar committee of the council to take action in relation to the drafting of rules for the government of both houses in joint session.

Messrs. Strong, Miller and Wilson were appointed such committee.

On motion, a committee composed of Messrs. Abney, Douglass and Menefee was appointed to wait on the secretary of the territory in relation to committee rooms.

On motion, the house adjourned at 3.15 p. m.

L. L. BEDELL,
Chief Clerk of the House.

THIRD DAY.

HOUSE OF REPRESENTATIVES, }
October 14, 1869.

The house met pursuant to adjournment at ten a. m.

Roll was called, and a quorum found present.

Journal read and approved.

On motion of Mr. Miller, the rules of the house of representatives of the state of Nebraska were adopted as the rules to govern this house, until the committee on rules have reported.

The speaker read the rules of the house of representatives of the state of Nebraska.

On motion of Mr. Douglass, the members of the council and all federal officers were invited to seats within the bar of the house when in session.

On motion of Mr. Miller, the secretary of the territory will be requested to furnish the house, with the official canvas of the total vote of the territory by counties.

Mr. Menefee moved that the secretary of the territory be requested to furnish desks for the enrolling and engrossing clerks, and the sergeant-at-arms.

Carried.

Mr. Miller gave notice that he would on Tuesday next or some subsequent day, introduce a bill for "an act to repeal the charter of the city of Laramie;" also a bill for "an act for the protection of game and fish."

Mr. Wilson gave notice that he would, on some future day, introduce a bill for an act entitled "an act to increase the pay of the federal judges within the territory of Wyoming."

Mr. Strong, chairman of the committee on joint rules, presented the following report:

HOUSE OF REPRESENTATIVES, }
October 14, 1869.

Mr. Speaker:

The joint committee appointed by the council and house of representatives, for the purpose of drafting rules of order and

recommending standing committees, beg leave to submit the following report :

That we believe the following standing committees are necessary: Judiciary, education, military affairs, incorporations, finance, elections, public buildings, mines and minerals, Indian affairs, agriculture, federal relations, public printing, engrossing and enrolling bills, internal improvements, manufactures, public lands, and counties.

We would respectfully ask for further time to report on rules and regulations.

J. C. STRONG,
Chairman.

On motion of Mr. Strong, the committee on joint rules were permitted to retire, to attend to the business of the committee.

Mr. Miller moved the house take a recess till two o'clock.
Lost.

On motion of Mr. Herrick, the house proceeded to the election of chaplain.

The committee on joint rules returned to the house.

The names of Mr. Poole and Mr. Tuttle were placed in nomination.

On motion, a ballot was had for chaplain.

The speaker appointed Messrs. Menefee and Wilson as tellers.

On the first ballot Mr. Poole had 5 votes, Mr. Tuttle 5 votes.

A second ballot was had, when Mr. Poole received 7 votes, and Mr. Tuttle 3 votes.

Mr. Poole having received a majority of all votes cast, was declared elected chaplain.

On motion of Mr. Strong, the house ajourned till half-past 10 o'clock on Friday morning, to allow the committee on joint rules to attend to business of the committee.

L. L. BEDELL,
Chief Clerk of the House.

FOURTH DAY.

HOUSE OF REPRESENTATIVES, }
October 15th, 1869.

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the chaplain.

Absent at roll call, Mr. Wilson.

Journal read and approved.

Mr. Douglass presented the report of the committee on rules for the government of the house, which was read by the chief clerk.

On motion the report was received, and one hundred copies ordered to be printed.

On motion of Mr. Strong, a committee was appointed to wait on Chief Justice Howe, and request his attendance within the bar of the house, to administer the oath of office to the chaplain, enrolling and engrossing clerks.

On motion of Mr. Strong, the committee on rules were discharged from further duty.

A communication was received from the secretary of the territory, containing the official canvas of the vote of the territory.

On motion of Mr. Strong, a committee of two was appointed to examine the territorial vote.

Messrs. Strong and Abney were appointed such committee.

Mr. Wilson gave notice that he would on some future day, introduce a bill for "an act for the repeal of the charter of the city of Cheyenne."

Mr. Herrick introduced the following resolution:

Resolved, That the sergeant-at-arms request the secretary of the territory to provide penknives for the use of the members; also, a lock and key for each desk.

Laid over, under the rules.

Mr. Miller introduced the following resolution:

Resolved, That the sergeant-at-arms be and he is hereby instructed to request the secretary of the territory to procure the national colors to be displayed at an appropriate place over this house during the session.

Laid over, under the rules.

Mr. Herrick gave notice that he would, on some future day, introduce a bill for "an act for the protection of the property of the citizens of this territory from fire occasioned by sparks from locomotive engines on the Union Pacific Railroad."

Mr. Douglass gave notice that he would, on some future day, introduce a bill for "an act requiring the Union Pacific Railroad Company to pay for all stock killed by their trains."

Mr. Herrick introduced a resolution requesting the secretary of the territory to provide three daily newspapers for each member, to be selected by themselves.

Read by consent, and adopted.

On motion of Mr. Miller, the rules were suspended, to take up the following resolution:

Resolved, That the sergeant-at-arms request the secretary of the territory to furnish the members of this house with pen-knives, also a lock and key for each desk.

Read and adopted.

On motion of Mr. Seabee, the sergeant-at-arms was ordered to request the secretary of the territory to furnish a clock for the house.

Mr. Miller gave notice that he would on some future day introduce a bill "to provide for a division of the territory of Wyoming into judicial districts, and to provide for holding courts in the same."

On motion of Mr. Miller the house took a recess till 2 p. m. House met at 2 p. m.

Absent at roll call, Messrs. Abney, Strong and Wilson.

The sergeant-at-arms was dispatched for absentees,

On motion of Mr. Seabee, all further proceedings under call of the house were dispensed with.

On motion of Mr. Strong, a committee of two was appointed to wait on the secretary of the territory, and request his attendance in the house to receive the credentials of Mr. Sheeks, and also to request the Hon. Chief Justice Howe to administer the oath of office to Mr. Sheeks, member elect from Carter county.

On motion of Mr. Strong, the house resolved itself into a committee of the whole for the consideration of the "rules for the government of the house," and also the "joint rules for the government of both houses in joint session."

Mr. Douglass was called to the chair.

After some time spent therein the committee arose, and through their chairman reported the rules back with some amendments, and recommended their adoption.

On motion, the following rules were adopted for the government of the house:

Rule First, The speaker shall take the chair at the time to which the house stands adjourned, and the house shall then be called to order, and the roll of the members called, and the names of absentees shall be entered upon the house journal.

Second, Upon the appearance of a quorum the journal of the preceding day shall be read by the clerk, and any mistake therein may be corrected by the house.

Third, A majority of the members present shall be authorized to compel the attendance of absent members.

Fourth, The speaker shall preserve order and decorum, and shall decide questions of order, subject to an appeal to the house.

Fifth, The speaker shall vote on all questions taken by yeas and nays, except on appeals from his own decisions, and in all elections or divisions called for by any member.

Sixth, When the house adjourns, the members shall keep their seats until the speaker announces the adjournment.

Seventh, Every member, previous to his speaking, shall rise in his seat, and respectfully address himself to the speaker.

Eighth, When two or more members rise at once, the speaker shall designate the member who is first to speak, but in all cases,

the member who shall first rise and address the chair, shall speak first.

Ninth, No member shall speak more than twice on the same subject without leave of the house, nor more than once till every member choosing to speak on the question pending shall have spoken, except chairmen of committees upon matters reported by them.

Tenth, No motion shall be debated or put, unless the same shall be seconded. It shall be stated by the speaker before debate, and any such motion shall be reduced to writing, if the speaker or any member desire it.

Eleventh, After a motion shall be stated by the speaker, it shall be deemed to be in possession of the house, but may be withdrawn at any time before amendment or decision; but all motions, resolutions or amendments shall be entered on the journal whether they be adopted or rejected.

Twelfth, When a question is under debate no motion shall be received, but to adjourn; to lay on the table; for the previous question; to postpone indefinitely; to postpone to a certain day; to amend or to correct; which several motions shall have precedence in the order in which they stand arranged, and a call of the house may be had upon the demand of the two members.

Thirteenth, A motion to adjourn shall always be in order, except when a member is addressing the chair or a vote is being taken. That and the motion to lay on the table shall be decided without debate.

Fourteenth, The previous question shall be in this form: Shall the main question now be put? it shall only be admitted when demanded by a majority of the members present, and its effect shall be to put an end to all debate and bring the house to a direct vote upon the amendments reported by a committee, if any, upon pending amendments, and then upon the main question, on a motion for the previous question, and prior to the seconding of the same, a call of the house shall be in order, but after a majority shall have seconded such motion, no call shall be in order prior to decision of the main question.

Fifteenth, All incidental questions of order arising after a motion is made for the previous question, during the pending of such motion, or after the house shall have determined that the main question shall be now put, shall be decided, whether on appeal, or otherwise, without debate.

Sixteenth, Petitions, memorials and other papers addressed to the house shall be presented by the speaker, or by a member in his place.

Seventeenth, Every member who shall be present before the vote is declared from the chair, and no other, shall vote for or against the same, unless the house shall excuse him, or unless he is immediately interested in the question, in which case he shall not vote.

Eighteenth, When the speaker is putting the question, no member shall walk out or across the house; nor when a member is speaking shall any member entertain any private discourse, nor pass between him and the chair.

Nineteenth, If the question in debate contain several points, any member may have the question divided.

Twentieth, A member called to order shall immediately sit down, unless permitted to explain, and the house, if appealed to, shall decide the case. If there be no appeal, the decision of the chair shall be submitted to. On an appeal, no member shall speak more than once without leave of the house, except when a member is called to order for offensive language, in which case there shall be no debate.

Twenty-first, Every bill shall be introduced by a motion for leave, or by an order of the house, on the report of a committee; and one day's notice at least shall be given of a motion for leave to bring in a bill, unless two-thirds of the members present shall vote in favor of its being brought in without such previous notice. Every notice of motion for leave to bring in a bill shall be in writing and shall contain the title of the bill.

Twenty-second, Every bill, before being introduced, shall have endorsed thereon the title of the same, and every bill or resolution shall have thereon the name of the member introducing it, and when ordered by a committee, the names of such committee shall be endorsed thereon.

Twenty-third, All bills, memorials or joint resolutions shall be read the first time for information, and if opposition be made to it, the question shall be: Shall this bill be rejected? If no opposition be made, or if the motion to reject be lost, the bill shall go to its second reading without a question.

Twenty-fourth, All bills, memorials or joint resolutions, on their second reading, shall be read at length, and the question taken upon their commitment, amendment or engrossment, for a third reading.

Twenty-fifth, All bills, memorials or joint resolutions, on their third reading, shall be read at length.

Twenty-sixth, Every bill shall be read on three different days, unless, in case of urgency, two-thirds of the house shall deem it expedient to dispense with this rule, and no bill shall be passed unless it shall have been read once at length.

Twenty-seventh, No motion or proposition on a subject different from that under consideration, shall be admitted under color of amendment. No bill or resolution shall at any time be amended by annexing thereto, or incorporating therewith, any other bill or resolution pending before the house.

Twenty-eighth, In forming committee of the whole house, the speaker shall appoint a chairman to preside.

Twenty-ninth, Bills committed to the committee of the whole house shall, in committee of the whole thereon, be first read

through unless the committee shall otherwise order, and then read and debated by sections, leaving the title to be last considered. All amendments shall be noted in writing and reported to the house by the chairman.

Thirtieth, All questions, whether in committee or in the house, shall be put in the order they are moved, except in cases of privileged questions, and in filling up blanks, the largest sum and the longest time shall first be put.

Thirty-first, A similar mode of proceeding shall be observed with bills which have originated in and passed the council, as with bills originating in the house.

Thirty-second, No motion for reconsideration shall be in order unless on the same or the day following that on which the decision proposed to be reconsidered took place, nor unless one of a majority shall move reconsideration.

Thirty-third, When notice of the intention to move the reconsideration of any bill or joint resolution shall be given by a member, the clerk of the house shall retain the said bill or joint resolution until after the time during which said motion can be made, unless the same can be previously disposed of.

Thirty-fourth, Any member who votes on that side of the question which prevailed, may be at liberty to move a reconsideration, and a motion for a reconsideration shall be decided by a majority of votes.

Thirty-fifth, The rules of the house shall be observed in committee of the whole house, so far as may be applicable, except that the yeas and nays shall not be called, the previous question enforced, nor the time of speaking limited.

Thirty-sixth, A motion that the committee rise, shall always be in order, and shall be decided without debate.

Thirty-seventh, Standing committees shall be appointed on the following subjects: Ways and means, judiciary, federal relations, Indian and military affairs, territorial affairs and internal improvements, education and public printing, counties and county lines and incorporations, mines and minerals and public lands, agriculture and manufactures, elections, engrossments and enrollments, immigration.

Thirty-eight, The committee on engrossment shall examine all bills after they are engrossed, and report the same to the house correctly engrossed before their third reading. Said committee may report at any time.

Thirty-ninth, The committee on enrollment shall examine all house bills and joint resolutions which have passed the two houses, and when reported correctly enrolled, they shall be presented to the presiding officers of the house and council for their signatures, and when so signed, to the governor for his approval. Said committee may report at any time.

Fortieth, Select committees, to whom references shall be made, shall in all cases report a state of facts, and their opinion thereon, to the house.

Forty-first, In all cases where a bill, order, resolution or motion shall be entered upon the journal of the house, the name of the member moving the same shall be entered upon the journal of the house.

Forty-second, No person shall be admitted within the bar of the house but the federal officers of the territory, territorial treasurer and auditor, judges of the supreme and district courts, members of congress, those who have been members of congress, and the legislative council.

Forty-third, The speaker shall cause the clerk of the house to make a list of all bills, resolutions, reports of committees, and other proceedings of the house, which are committed to a committee of the whole house, and which are not made the order of the day for any particular day, and to number the same, which list shall be called the general order of the day, and they shall be taken up in the order in which they are numbered, unless otherwise ordered by a majority of the house, and the clerk shall also keep a book showing the situation and progress of bills.

Forty-fourth, After calling the house to order, the following shall be the order of business for the day:

1. Prayer by the chaplain.
2. Calling the roll.
3. Reading the journal.
4. Petitions and memorials.
5. Reports of standing committees.
6. Reports of select committees.
7. Resolutions.
8. Motions and notices of bills.
9. Introductions of bills and joint resolutions.
10. Consideration of messages from the council.
11. First reading of council bills, joint resolutions and memorials.
12. Second reading of council bills.
13. Third reading of council bills.
14. Second reading of house bills, joint resolutions and memorials.
15. Third reading of house bills.
16. Special orders of the day.
17. Unfinished business.

Forty-fifth, Whenever the report of any committee of conference contains several modifications or amendments, any member may have the same divided, and the question of concurrence taken separately upon each modification or amendment.

Forty-sixth, When the house have arrived at the general orders of the day, they shall go into committee of the whole upon such orders, or a particular order designated by a vote of the

house, and no other business shall be in order until the whole are considered or passed, or the committee rise; and unless a particular bill is ordered up, the committee of the whole shall consider, act upon, or pass the general orders, according to the order of their reference.

Forty-seventh, The speaker may leave the chair and appoint a member to preside, but not for a longer time than one day, except by leave of the house.

Forty-eighth, The rules of parliamentary practice embraced in "Cushing's Manual" shall govern the house in all cases in which they are applicable, and in which they are not inconsistent with the standing rules of the house and the joint rules and orders of the council and house of representatives.

Forty-ninth, No rules of the house shall be suspended, altered or amended without the concurrence of two-thirds of the members present.

Fiftieth, The hour of the daily meeting of the house shall be 10½ o'clock in the morning, until the house direct otherwise.

Fifty-first, The ayes and nays shall not be ordered unless demanded by two members, except upon the final passage of bills, joint resolutions and memorials, in which cases the ayes and nays shall be had without any demand.

Fifty-second, All house bills of a general nature shall, after their second reading, be printed without a special order from the house, except such bills as are rejected.

Fifty-third, A two-thirds majority of all the members of the house voting for the removal of the speaker shall be sufficient to vacate the chair, and remove any officer of the house, and a majority of the votes cast, if a quorum be present, shall be sufficient to sustain an appeal from the decision of the speaker.

On motion of Mr. Strong, the report of the secretary of the territory of the official canvas of the total vote of the territory was ordered to be printed in the daily and weekly newspapers of the city of Cheyenne.

On motion of Mr. Miller, the same report was ordered to be printed in the Omaha Daily Herald.

The following communication was received :

EXECUTIVE DEPARTMENT, }
CHEYENNE, October 15th, 1869. }

Speaker of the House of Representatives :

I have the honor to acknowledge the receipt of resolutions Nos. 2 and 3, in regard to daily newspapers, locks for desks, and clock for the use of the house of representatives.

I am not authorized to furnish newspapers at the expense of the United States.

They will be furnished provided the legislature shall make an appropriation therefor out of the territorial treasury.

The locks for desks as well as a clock for the use of the house of representatives, will be furnished at the expense of the United States.

A bill of stationery, including penknives and other articles of convenience for legislators has been ordered, but owing to the unavoidable delay of railroad transportation has not yet arrived.

It is expected daily, and upon receipt thereof will be at once distributed to the legislature.

Very respectfully,

EDWARD M. LEE,

Secretary of the Territory.

The following resolution was introduced by Mr. Menefee :

Resolved, That two thousand copies of the governor's message be printed—one thousand five hundred of them in English and five hundred in the German language, which was adopted.

On motion, the house adjourned at 3.15 P. M.

L. L. BEDELL,

Chief Clerk of the House.

FIFTH DAY.

HOUSE OF REPRESENTATIVES, }
October 16th, 1869. }

House met pursuant to adjournment.

Prayer by the chaplain.

Absent at roll call—Mr. Miller.

Journal read and approved.

Mr. Herrick introduced the following resolution :

Resolved, That the sergeant-at-arms be directed to assign seats within the bar of the house to ladies who may desire to attend the deliberations of this body.

Laid over under the rules.

Mr. Douglass gave notice that he would on Monday next or some subsequent day, introduce a bill for an act to locate the capitol seat of the government of Wyoming territory.

On motion of Mr. Strong, the following rule was adopted as an additional rule for the government of the house :

Rule Fifty-fourth, The fees of the sergeant-at-arms shall be for every arrest, two dollars ; for each day's custody and release-ment, one dollar ; and for traveling expenses for himself or a special messenger, going and returning, one-tenth of one dollar per mile.

On motion of Mr. Douglass, the sergeant-at-arms and foreman were sworn not to divulge the proceedings of the house while in secret session.

On motion of Mr. Abney, smoking was prohibited in the house while in session.

The following resolution was taken up :

Resolved, That the sergeant-at-arms be, and he is hereby instructed to procure the national colors to be displayed at the appropriate place over this house while in session.

Adopted.

The following resolution was taken up :

Resolved, That the two thousand copies of the governor's message be printed—fifteen hundred copies in English and five hundred in the German language.

Mr. Strong offered the following amendment :

To strike out the words "two thousand copies—fifteen hundred in English and five hundred in the German language," and insert instead the words "one thousand copies to be printed in the English language.

Amendment put and lost.

The resolution was then adopted.

On motion of Mr. Seabee the copies of governor's message were ordered to be printed at the Cheyenne Argus office, to be paid for out of the territorial treasury, should the secretary of the territory refuse to pay for them.

On motion of Mr. Herrick, the rules were suspended to take up the resolution requiring the sergeant-at-arms to assign seats within the bar of the house to ladies who wished to attend the deliberations of this body, which was read and adopted.

On motion of Mr. Douglass, the house adjourned till 2 p. m. on Monday next.

L. L. BEDELL,

Chief Clerk of the House.

SIXTH DAY.

HOUSE OF REPRESENTATIVES, }
October 18th, 1869.

The house met pursuant to adjournment.

The speaker in the chair.

Prayer by the chaplain.

Absent at roll call—Messrs. Abney, Menefee and Wilson.

Journal read and approved.

Mr. Wilson introduced house bill No. 1, a bill for an act to increase the pay of the federal judges in the territory of Wyoming, which was read first time.

On motion of Mr. Abney, the rules were suspended, and the bill read a second time by title, and referred to the committee on judiciary.

The following message was received :

COUNCIL CHAMBER, CHEYENNE, W. T. }
October, 16th, 1869. }

Mr. Speaker of the House of Representatives :

I have to inform your honorable body that the request to this council relative to section three of joint rules for both houses, to amend said section by inserting the words " or any messenger that either house may chose to employ," has been complied with by the council this day.

EDWARD ORPEN,

Secretary of the Council.

The speaker announced the following standing committees :

Committee on Ways and Means—Strong, Douglass, Menefee.

Judiciary—Sheeks, Wilson, Strong.

Federal Relations, Indian and Military Affairs—Abney, Herrick, Haas.

Territorial Affairs and Internal Improvements—Miller, Douglass, Herrick.

Education and Public Printing—Wilson, Strong, Menefee.

Counties, County Lines and Incorporations—Menefee, Miller, Sebree.

Mines, Minerals and Public Lands—Menefee, Douglass, Sheeks.

Agriculture and Manufactures—Sebree, Strong, Abney.

Elections and Engrossed and Enrolled Bills—Haas, Menefee, Wilson.

Immigration—Herrick, Abney, Miller.

On motion of Mr. Douglass, a committee on Library was annexed to the list of standing committees.

On motion of Mr. Abney, the committee on Library shall consist of five members.

On motion of Mr. Strong, the house adjourned at 3 p. m.

L. L. BEDELL,

Chief Clerk of the House.

SEVENTH DAY.

HOUSE OF REPRESENTATIVES, }
October 19, 1869.

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the chaplain.

Absent at roll call—Mr. Strong. Excused by consent of the house.

Journal read and approved.

On motion of Mr. Douglass, fifty copies of the list of standing committees were ordered to be printed.

On motion of Mr. Miller they shall be printed at the Cheyenne Argus office.

On motion of Mr. Miller, one hundred copies of the list of ayes and nays were ordered printed at the Cheyenne Argus office.

Mr. Herrick gave notice that he would on some future day introduce a bill for an act providing for the organization of a volunteer militia corps for the territory.

On motion of Mr. Douglass, the house proceeded to the election of a messenger.

The names of Mr. John King and Master Willie Logan were placed in nomination. On the first ballot Master Logan received eight votes, Mr. King two votes. Master Logan was declared elected messenger.

Mr. Sebree presented a joint memorial to congress praying for the establishment of a land office in the territory of Wyoming.

Read first time.

On motion of Mr. Miller, the rules were suspended, and the memorial read a second time by its title, and referred to committee on public lands.

On motion of Mr. Sebree, the house went into committee of the whole, for the consideration of the governor's message, Mr. Abney in the chair.

After sometime spent in consideration of the message, the committee arose, and through their chairman made the following report, and recommended its adoption.

That that portion of the message relating to organization, census of the territory, extent of territory, and penitentiary, be referred to the committee on territorial affairs.

That portion relating to elections, appointments, and a registry law, be referred to the committee on elections.

That portion referring to Indian raids, be referred to committee on federal relations.

That portion relating to agriculture, be referred to committee on agriculture.

That portion relating to petroleum and mining interests, to committee on mines and minerals.

That portion relating to education and statistics, referred to committee on education.

That portion relating to immigration, be referred to committee on immigration.

That portion relating to the Union Pacific Railroad, to committee on internal improvements.

That portion relating to Indian reservations, to committee on Indian affairs.

That portion relating to game be referred to committee on counties.

That portion relating to a code of laws and salaries of judges, referred to committee on judiciary.

That portion relating to a land office, referred to committee on public lands.

That portion relating to public library, referred to committee on public library.

That portion relating to county organization, referred to committee on counties.

That portion relating to an economical disbursement of the territorial fund, referred to the committee on ways and means.

JAMES C. ABNEY,

Chairman Committee.

On motion of Mr. Sebree, the report was adopted.

On motion of Mr. Miller, the house took a recess till 2½ o'clock P. M.

AFTERNOON SESSION.

House met at 2½ o'clock p. m.

Mr. Douglass moved that the courtesy of the house be extended to the Hon. John G. Saxe, of Vermont, and that he be invited to deliver a lecture or poems on the floor of the house.

Carried.

On motion of Mr. Miller, a committee of three was appointed to wait on Mr. Joseph, of this city, and inform him of the action of the house.

Mr. Wilson moved, that until the first day of November, the house hold a morning and night session. Lost.

On motion of Mr. Sheeks, the committee on public printing will confer with a similar committee from the council, and inquire into the expediency of going into an election of a public printer, and to report as early as possible. Carried.

The following message was received from the council.

COUNCIL CHAMBER, CHEYENNE, W. T. }
October, 19th, 1869. }

Mr. Speaker of the House of Representatives:

I have the honor to transmit to you the inclosed resolution,

adopted by the council, October 18th, 1869, with instructions that it be presented to the house for concurrence.

EDWARD ORPEN,

Secretary of the Council.

Resolved, By the council, the house concurring, that the enacting clause of bills be as follows: "Be it enacted by the council and house of representatives of the territory of Wyoming."

On motion of Mr. Herriek, the rules were suspended, and the resolution taken up and adopted.

On motion of Mr. Miller, the house adjourned at 3 p. m.

L. L. BEDELL,

Chief Clerk of the House.

EIGHTH DAY.

HOUSE OF REPRESENTATIVES, }
October 20th, 1869. }

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the chaplain.

Absent at roll call—Mr. Wilson.

Journal read and approved.

The following communication was received from the editors of the Omaha Daily Herald:

OFFICE OF THE
OMAHA DAILY AND WEEKLY HERALD, }
Omaha, Neb., October 18th, 1869. }

Hon. S. M. Curran, Speaker of the House:

We, the undersigned, have the honor to inform you, and through you the body over which you preside, that we will cause to be mailed to you from this day, until the close of your session, one copy of the Daily Herald to each member of the house, and to the chief clerk, as a compliment to the unanimously democratic legislature of Wyoming.

We have the honor to be,

Yours, &c.,

MILLER & RICHARDSON,

Editors Omaha Daily Herald.

Mr. Miller introduced the following resolution:

Resolved, That a vote of thanks be tendered Messrs. Miller & Richardson, of the Omaha Daily Herald, for the compliment conveyed in furnishing the members of this house with copies of the Herald. Adopted.

Mr. Wilson, chairman of committee on public printing, presented the following report:

HOUSE OF REPRESENTATIVES, }
October 20, 1869. }

Mr. Speaker:

The committee on public printing desire to report that they waited on the committee from the council, and were informed by them that a joint resolution is being prepared in relation to public printing, and will shortly be presented to the house for its action thereon.

P. S. WILSON,

Chairman.

Mr. Wilson introduced the following resolution:

Resolved, That a vote of thanks be tendered his excellency, the governor of the territory, for his courtesy in providing each member of the house with a copy of his message in pamphlet form. Adopted.

Mr. Miller introduced house bill No. 2, a bill for "an act for the protection of game and fish in the territory of Wyoming."

Read first time.

On motion the rules were suspended, and the bill read a second time by its title, and referred to the committee on agriculture.

On motion of Mr. Sheeks, the house adjourned at 11 a. m.

L. L. BEDELL,

Chief Clerk of the House.

NINTH DAY,

HOUSE OF REPRESENTATIVES, }
October 21st, 1869. }

The house met pursuant to adjournment.

The speaker in the chair.

Prayer by the chaplain.

Absent at roll call—Mr. Wilson.

Journal read and approved.

Mr. Miller presented a memorial and joint resolution to congress, praying for an appropriation for the erection of capitol buildings for Wyoming territory.

Read first time.

On motion of Mr. Herrick, the memorial was read a second time and referred to committee on territorial affairs.

On motion of Mr. Miller, the sergeant-at-arms is instructed to request the honorable secretary of the territory to furnish to each of the members of the house, one copy of the proceedings of the last houses of representatives of the states of Nebraska and Nevada, and the territory of Colorado. Also a copy for each member of the general laws of Nebraska, Nevada and Colorado.

Mr. Herrick gave notice that he would on Wednesday, or some subsequent day, introduce a bill for an act fixing a day for a general election in the territory of Wyoming.

Also a bill providing for the election of the following named officers, and defining their duties: one territorial treasurer, one territorial auditor, one superintendent of public schools. For each county: one sheriff, three commissioners, one coroner, one auditor, one probate judge, one treasurer, one recorder of deeds. For each town, or election precinct: one justice of the peace, one constable.

Also, on to-morrow, a bill for an act to regulate the sale of poisons in the territory.

Mr. Miller gave notice that he would on Friday, introduce a bill providing for the appointment of an Immigrant agent for the territory.

Also a bill for an act to prevent the sale of intoxicating liquors to Indians in the territory.

Mr. Sheeks gave notice that he would in two weeks from to-day, or at as early a day thereafter as possible, introduce a bill for an act to establish a code of civil procedure for the territory of Wyoming.

Mr. Sebree moved to reconsider the action of the house of the preceding day, in relation to the holding of night sessions. Lost.

On motion of Mr. Miller the house adjourned at 10:40 a. m.

L. L. BEDELL,

Chief Clerk of the House.

TENTH DAY.

HOUSE OF REPRESENTATIVES, }
October 22, 1869. }

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the chaplain.

Absent at roll call, Mr. Sheeks.

Journal read and approved.

Mr. Abney introduced the following resolution;

Resolved, That the speaker appoint a committee of three, to draft a memorial to the congress of the United States, praying for the better protection of the immigrants and citizens of the territory of Wyoming from the depredations of Indians; also for the protection of actual settlers upon the public lands.

On motion the rules were suspended, and the resolution read a second time and adopted.

Mr. Miller moved that Rule No. 1, of the "Rules for the government of the house," be so amended, that on and after Monday, October 25th, 1869, the time of daily meeting of the house shall be at 3 p. m., unless the house shall adjourn to some other hour. Lost.

Mr. Douglass gave notice that he would on Saturday, or some subsequent day, introduce a bill to regulate the rates of money interest in the territory of Wyoming.

Mr. Strong gave notice that he would on some future day, introduce a bill to provide for the organization, supervision and maintenance of common schools; also a bill to provide for the location of the territorial capitol.

Mr. Miller gave notice that he would on Monday next or some subsequent day, introduce a bill requiring all justices of the peace and constables to qualify and give bonds.

Also, a bill to provide for the location of the territorial capitol.

Mr. Herrick gave notice that he would on Wednesday or some subsequent day introduce a bill for an act to establish a territorial road from Sherman to the North Park gold mines, or as much of said road as may be within the boundaries of Wyoming territory.

Mr. Abney gave notice that he would on Monday next or some subsequent day, introduce a bill to provide a herd law for Laramie county.

Mr. Miller introduced house bill No. 3, an act to prohibit the sale of intoxicating liquors to Indians in the territory of Wyoming. Read first time.

On motion of Mr. Douglass, the bill was read a second time by title, and referred to committee on federal relations, &c.

Mr. Miller introduced house bill No. 4, a bill for an act to authorize the appointment of an immigration agent for the territory of Wyoming.

Read first time.

On motion, the rules were suspended, and the bill read a second time by title, and referred to committee on immigration.

Mr. Herrick introduced house bill No. 5, a bill for an act to regulate the sale of poisons in the territory of Wyoming.

Read first time.

On motion, the rules were suspended, and the bill read a second time by title, and referred to committee on internal improvement.

On motion, the house took a recess till 2 o'clock P. M.

AFTERNOON SESSION.

House met at 2 P. M.

Speaker in the chair.

Absent at roll call—Messrs. Abney, Haas, Sheeks and Strong, and Mr. Miller, who was excused by consent of the house.

The sergeant-at-arms was despatched for absentees.

On motion of Mr. Abney, all further proceedings under call of the house were dispensed with.

The following message was received from the council:

COUNCIL CHAMBER, CHEYENNE, W. T., }
October 21st, 1869. }

Speaker of the House of Representatives :

I am instructed to transmit to your honorable body, the accompanying memorial and joint resolution to the Honorable Secretary of War, with reference to the keeping of the prisoners of Carter county in the government forts, and adopted at the last session of the council.

EDWARD ORPEN,

Secretary of the Council.

The memorial and joint resolution from the council was then taken up and read first time.

Mr. Sebree, chairman of committee on agriculture, presented the following report:

Mr. Speaker:

The committee on agriculture, to whom was referred house bill No. 2, a bill for "an act for the protection of game and fish," report the same back to the house and recommend its passage.

HOWARD SEBREE,

Chairman.

On motion of Mr. Menefee, the rules were suspended and the bill read a third time and passed.

Title agreed to.

Mr. Abucy presented the following report:

Mr. Speaker:

The committee on Indian affairs, to whom was referred house bill No. 3, a bill for "an act to prohibit the furnishing of intoxicating liquors to Indians in the territory of Wyoming," have had

the same under consideration, and beg leave to report it back to the house recommending its passage.

JAMES C. ABNEY,

Chairman Committee.

Mr. Wilson moved that the house hold evening sessions for one week, commencing on Monday next. Carried.

On motion, the house adjourned at 3 P. M.

L. L. BEDELL,

Chief Clerk of the House.

ELEVENTH DAY.

HOUSE OF REPRESENTATIVES, }
October 23, 1869. }

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the chaplain.

Absent at roll call—Messrs Abney and Wilson.

Journal read and approved.

Mr. Herrick, chairman of committee on immigration, presented the following report:

HOUSE OF REPRESENTATIVES, }
October 23, 1869. }

Mr Speaker :

The standing committee on immigration to whom was referred House bill No. 4, a bill for an act to authorize the appointment of an immigrant agent for the territory of Wyoming, have had the same under consideration, and beg leave to report it back to the house without amendment, and recommend its passage.

WILLIAM HERRICK,

Chairman of Committee.

Mr. Menefee, chairman of committee on public lands, presented the following report:

Mr. Speaker :

The committee on public lands, to whom was referred the memorial and joint resolution relating to the location of a land office in the territory of Wyoming, beg leave to report the same back, and recommend its adoption.

J. W. MENEFEE.

Chairman of Committee.

Mr. Herrick introduced the following resolution :

Resolved, That the reporters of the Cheyenne newspapers have access to the journal of the house for the purpose of publishing the daily proceedings of this body.

Adopted.

Mr. Sebree gave notice that he would on Monday or some subsequent day, introduce a bill for an act to encourage the growth of shade trees in the territory of Wyoming.

Mr. Wilson gave notice that he would on Monday or some subsequent day, introduce a bill for an act for the establishment of a bureau of statistics for the territory of Wyoming.

Mr. Abney gave notice that he would on Wednesday next or some subsequent day, introduce a bill for an act to protect persons holding claims on the public lands.

Mr. Herrick gave notice that he would on Tuesday or some subsequent day, introduce a bill for an act to license hotels, restaurants and saloons in Wyoming territory.

Also, on Thursday next or some subsequent day, a bill for an act to prevent the carrying of concealed weapons in the territory of Wyoming.

Mr. Douglass gave notice that on Monday or some subsequent day, he would introduce a bill for an act declaring certain persons privileged from arrest and civil process.

The house memorial and joint resolution in relation to the establishment of a land office in the territory of Wyoming, was taken from the table, read a second time, and referred to the committee on federal relations.

House bill No. 3, a bill for an act to prohibit the furnishing of intoxicating liquors to Indians in Wyoming territory, was taken up and read a third time, and passed.

Title agreed to.

On motion of Mr. Wilson, the house reconsidered its action of the previous day on the bill for the protection of game and fish, and it was recommitted to the committee on agriculture.

Mr. Abney moved the house take a recess till 2 o'clock.

Lost.

Mr. Wilson moved the house adjourn till 7 o'clock Monday evening.

Carried.

House adjourned at 11.15 A. M.

TWELFTH DAY.

HOUSE OF REPRESENTATIVES, }
October 25, 1869. }

The house met pursuant to adjournment.

Prayer by the chaplain.

Absent at roll call—Mr. Douglass, sick, and Mr. Strong.

Both excused by consent of the house.

Journal read and approved.

Mr. Sebree presented the following report :

Mr. Speaker :

The committee on agriculture, to whom was referred house bill No. 2, have amended the same, and report it back, and recommend its passage.

HOWARD SEBREE,

Chairman of Committee.

Mr. Herrick gave notice that he would on Thursday next or some subsequent day, introduce a bill to provide for the establishment of a mining bureau in Wyoming territory.

On motion of Mr. Miller, the rules were suspended to allow the introduction by Mr. Wilson of house bill No. 6, a bill for "an act to provide for the removal of county officers," which was read first time.

On motion of Mr. Miller, the rules were suspended and the bill read a second time by its title, and referred to committee on judiciary.

Mr. Miller introduced house bill No. 7, a bill for "an act requiring justices of the peace and constables to qualify and give bonds."

Read first time.

Mr. Sebree introduced house bill No. 8, a bill for "an act to encourage the growth of shade trees, fruit and fruit trees."

Read first time.

The following message was received from the house :

COUNCIL CHAMBER, CHEYENNE, W. T. }
October, 20th, 1869. }

To the Hon. Speaker of the House of Representatives :

I have the honor to transmit to your honorable body the within concurrent communication for immediate action thereon.

Very respectfully,

EDWARD ORPEN,

Secretary of Council.

The following joint resolution from the Council, was taken up and read :

Resolved, by the Council, the House concurring; that the Hon. E. M. Lee, Secretary of the Territory, be requested, in as much as the Cheyenne Argus is the official journal of the territory of Wyoming, to furnish said paper the government printing.

Laid over under the rules.

Mr. Menefee, chairman of committee on public lands, presented the following:

Mr. Speaker:

The committee to whom was referred the memorial, relating to the location of a land office, in the territory of Wyoming, beg leave to report the same back and recommend its adoption.

J. W. MENEFEE.

Chairman of Committee, on public lands.

On motion the report was received.

The memorial in relation to the location of a land office, was ordered to be engrossed for its third reading.

House bill, No. 4. a bill for an "act to authorize the appointment of an immigrant agent for the territory of Wyoming" was, on motion of Mr. Miller, recommitted to the committee on immigration.

On motion of Mr. Abney, the house adjourned at 7:45 p. m.

L. L. BEDELL,

Chief Clerk of the House.

THIRTEENTH DAY.

HOUSE OF REPRESENTATIVES, }
October 26, 1869.

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the chaplain.

Absent at roll call—Messrs Abney, Menefee and Strong.

Journal read and approved.

Mr. Herrick gave notice that he would on Saturday next, or some subsequent day, introduce a bill for an "act to regulate the practice of medicine and surgery in the territory of Wyoming."

Mr. Wilson introduced house bill No. 9, a bill for an "act to create the office of commissioner of statistics and immigration, and to provide for the filling of the same."

Which was read first time.

On motion of Mr. Miller the rules were suspended, and the bill read a second time by its title, and referred to the committee on immigration.

The joint resolution from the council, relating to printing which laid over, was read.

On motion of Mr. Sebree the resolution was adopted.

House bill No. 8, a bill to encourage the growth of fruit, shade and forest trees was taken from the table, read a second time, and referred to the committee on agriculture.

House bill No. 7, a bill for "an act requiring justices of peace and Constables to qualify and give bonds," was taken from the table, read a second time, and referred to committee on counties.

The following report from the committee on agriculture was read:

Mr Speaker :

The committee on agriculture, to whom was referred house bill No. 2, a bill for "an act to protect game and fish," have amended the same and report it back, and recommend its passage as amended.

HOWARD SEBREE,

Chairman.

House bill No. 2 was then taken up and read as amended.

Mr. Miller moved the bill be recommitted to a select committee. Lost.

Mr. Haas offered the following amendment to the bill: that it read from the 15th day of February to the 1st day of September, instead of from the 1st day of January to the 1st day of September. Lost.

Mr. Miller, offered the following amendment, "that it read, from the first day of March, to the fifteenth day of August.

Lost.

On motion of Mr. Miller, the bill was recommitted to the committee on agriculture.

Mr. Herrick, presented the following report:

Mr. Speaker :

The committee on immigration to whom was referred house bill No. 4, a bill for an act, to authorize the appointment of an immigrant agent, for the territory of Wyoming, have examined the same, and report it back with amendment, and recommend its passage as amended.

WILLIAM HERRICK,

Chairman of Committee.

On motion of Mr. Miller, the house adjourned at 11:5 a. m.

L. L. BEDELL,

Chief Clerk of the House.

FOURTEENTH DAY.

HOUSE OF REPRESENTATIVES, }
October 27, 1869.

House met pursuant to adjournment.

The speaker in the chair.

Prayer by the chaplain.

Absent at roll call—Messrs Menefee, (sick and excused)
Strong and Wilson.

Journal read and approved.

Mr. Miller introduced the following resolution :

Resolved, That the sergeant-at-arms be, and he is hereby instructed, to lay on the desk of each member of the house, two copies of each and every bill ordered to be printed by the house, as soon as such bill may come into his hands, and that he be instructed to leave also, two copies of the same, in the office of the secretary of the territory.

Adopted.

Mr. Abney, introduced the following resolution :

Resolved, That the sergeant-at-arms be instructed to request the Hon. Secretary Lee, to furnish a small coal stove, to be placed near the speaker's desk."

Laid over under the rules.

Mr. Herrick, gave notice that he would on Saturday next, or some subsequent day, introduce a bill for an act to exempt members of fire companies from duty as jurors.

Mr. Miller, moved that a committee of three be appointed to investigate the affairs of Albany County, with power, if necessary, to send for books and papers.

Carried.

And Messrs Miller, Douglass and Herrick, were appointed such committee.

Mr. Miller, moved that a committee of three, be appointed to wait on the Hon. Secretary Lee, in regard to a committee room.

Carried.

And Messrs Miller, Haas and Abney, were appointed such committee.

Mr. Abney, introduced house bill No. 10, a bill for an "act to prevent the running at large, of stock."

Read first time.

On motion of Mr. Miller, the rules were suspended, and the bill read a second time, and referred to the committee on agriculture.

Mr. Sebree, gave notice, that on some subsequent day, he would introduce a bill for the protection of builders and Mechanics.

The following report from the committee was read :

Mr. Speaker:

The committee on immigration, to whom was referred, house bill No. 4, have amended the same, and report it back and recommend its passage.

WM. HERRICK,
Chairman of Committee.

On motion of Mr. Miller, the bill was laid on the table.

On motion of Mr. Herrick the house proceeded to the election of a messenger by ballot.

The names of Mr. King and Mr. Armstrong were placed in nomination.

Messrs. Douglass and Wilson were appointed tellers.

On the first ballot Mr. King received 5 votes, Mr. Armstrong 5 votes. Being a tie there was no election.

On the second ballot Mr. King received 5 votes, Mr. Armstrong 5 votes. A tie, no election.

On the third ballot Mr. King had 5 votes, Mr. Armstrong 5 votes. A tie, no election.

Mr. Sheeks moved to adjourn.

Motion withdrawn.

On motion of Mr. Herrick the house proceeded to the election of a messenger.

A fourth ballot was ordered.

On the fourth ballot Mr. King had 5 votes, Mr. Armstrong 5 votes. A tie, no election.

Mr. Douglass placed the name of O. H. Perry in nomination.

On the fifth ballot Mr. King had 4 votes, Mr. Armstrong 4 votes, and Mr. Perry 2 votes. Necessary to a choice, 6.

On the sixth ballot Mr. King had 5 votes, Mr. Armstrong 4 votes, and Mr. Perry 1 vote. It requiring a majority of all votes cast to elect, and neither party receiving a majority of all votes cast, there was no election.

On motion of Mr. Wilson the election of messenger was postponed till Thursday.

Mr. Haas, chairman of committee on engrossed and enrolled bills, presented the following report:

Mr. Speaker:

The committee on engrossed and enrolled bills, have examined joint memorial No. 2, in relation to the establishment of a land office in the territory of Wyoming, and report it back correctly engrossed.

HERMAN HAAS.
Chairman of Committee.

On motion of Mr. Miller the memorial was ordered to be printed.

Mr. Abney moved the house take a recess till 1 o'clock p. m.
Lost.

On motion of Mr. Wilson the house took a recess till 2 o'clock p. m., to await any communication the secretary of the territory may have to make.

House met at 2, p. m.

The speaker in the chair.

Absent at roll call—Mr. Haas.

The following communication was received:

EXECUTIVE DEPARTMENT, CHEYENNE, W. T. }
October 26th, 1869.

HON. S. M. CURRAN,

Speaker of the House of Representatives:

SIR:—In respect to house resolution No. 4, in relation to journals, etc., I have the honor to state that communications have been this day forwarded to the secretaries of the states of Nevada and Nebraska, and of the territory of Colorado, requesting copies of laws and journals mentioned in said resolution.

Should those officers require payment for the same, it will be necessary for the house to make an appropriation therefor, out of the territorial Treasury.

I am not authorized to purchase, and pay for the books mentioned, out of the United States fund.

Very respectfully,

EDWARD M. LEE,

Secretary of the Territory.

The speaker appointed the following members, a committee to draft a memorial to congress, asking for the better protection of immigrants and citizens, in the territory of Wyoming.

Messrs Abney, Douglass and Strong.

Mr. Sheeks, moved to adjourn.

Lost.

On motion of Mr. Wilson, the rules were suspended, to allow the reading of the following reports, from standing committees.

From committee on internal improvements.

Mr. Speaker:

The committee on internal improvements, to which was referred, house bill No. 5, an "act to regulate the sale of poison, in the territory, have had the same under consideration, and most respectfully report the same back to the house, with amendments, and recommend its passage as amended.

LOUIS MILLER,

Chairman of Committee.

Laid over under the rules.

From the committee on county lines.

Mr. Speaker:

Your committee on counties and county lines, to whom was referred house bill No. 7, a bill for an act requiring justices of the peace and constables to qualify and give bonds, report the same back, recommending its passage.

JAMES W. MENEFEE,

Chairman.

From the committee on territorial affairs.

Mr. Speaker:

The committee on territorial affairs, to whom was referred the memorial to congress, praying for an appropriation for the erection of capitol buildings in the territory of Wyoming, report the same back, recommending its passage.

LOUIS MILLER,

Chairman of Committee.

From the committee on immigration.

Mr. Speaker:

Your committee on immigration to whom was referred house bill No. 9, a bill for an "act creating the office of commissioner of statistics and immigration, and to provide for the filling of the same," have had the bill under consideration, and respectfully report the same back to the house, recommending its passage.

WILLIAM HERRICK,

Chairman of Committee.

Reports laid over under the rules.

Mr. Miller gave notice that he would on Thursday next or some subsequent day introduce a bill for an "act to divide the territory of Wyoming into judicial districts and providing for holding courts in the same."

Mr. Wilson gave notice that he would on Thursday or some subsequent day, introduce a bill for an "act to regulate the fees of county officers."

Mr. Miller moved for a reconsideration of the action of the house this morning, in relation to the election of messenger. Lost.

On motion of Mr. Sheeks, the house adjourned at 2:45 p. m.

L. L. BEDELL,

Chief Clerk of the House.

FIFTEENTH DAY.

HOUSE OF REPRESENTATIVES, }
October 28, 1869. }

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the chaplain.

Journal read and approved.

The following reports of standing committees laid over one day, under the rules, were taken up and acted on.

The report of committee on federal relations, in relation to council memorial and joint resolution to the secretary of war, for the establishment of prisons in the western part of the territory of Wyoming.

Report adopted.

The report of committee on territorial affairs in relation to house memorial No. 1, praying for an appropriation from congress for the erection of public building in the territory of Wyoming was adopted.

The report of the committee on counties, in relation to house bill No. 7, a bill for an "act requesting justices of the peace, and constables, to qualify and give bonds" was adopted.

The report of committee on immigration, in relation to house bill No. 9, a bill for an "act creating the office of commissioner of statistics and immigration," was adopted.

Mr. Miller, presented the following report from select committee:

Mr. Speaker :

The select committee appointed to wait on the Hon. Secrteary Lee, in regard to committee rooms, have to report that one committee room will be furnished the house to-day.

LOUIS MILLER,

Chairman of Committee.

Mr. Douglass, gave notice that he would on Friday next, or some subsequent day, introduce a bill for an "act creating the office of territorial assayer."

Mr. Herrick, gave notice that he would on Friday, introduce a bill for an "act to dissolve the marriage cantract between Kate Menningham, and Fritz Menningham.

Mr. Abney, introduced house bill No. 11, a bill for an "act to protect persons from holding claims on public lands."

Read first time.

On motion of Mr. Miller, the rules were suspended, and the bill read a second time by its title, and referred to the committee on public lands.

Mr. Douglass introduced house bill No. 12, a bill for an "act to regulate the rates of money interest in the territory of Wyoming."

Read first time.

On motion of Mr. Sebree the rules were suspended, and the bill read a second time by its title, and referred to committee on judiciary.

Mr. Sebree introduced house memorial No. 4, a memorial to congress, asking for the removal of the head-quarters of the military department of the platte now at Omaha, Nebraska, to Fort D. A. Russell, near Cheyenne, in Wyoming territory.

Mr. Herrick moved the memorial be laid on the table. Lost.

On motion of Mr. Abney the rules were suspended and the memorial read a second time by its title, and referred to the committee on military affairs.

Mr. Herrick introduced house bill No. 13, a bill for "an act to prevent the carrying of concealed weapons."

Read first time.

On motion of Mr. Miller the bill was laid on the table.

The memorial and joint resolution to congress, praying for an appropriation for the erection of capitol buildings for the territory of Wyoming, was taken up.

Mr. Abney moved the memorial be amended by striking out the words "(50,000) fifty thousand," and inserting instead the words "(150,000) one hundred and fifty thousand."

Amendment put and lost.

The memorial and joint resolution read third time and adopted.

Title agreed to.

House bill No. 7, a bill for "an act requiring justices of the peace and constables, to qualify and give bonds," was read third time and passed.

Title agreed to.

On motion of Mr. Wilson, house bill No. 9, a bill for "an act creating the office of commissioner of statistics and immigration," was ordered to be engrossed.

The following which laid over one day, was taken up:

Resolved, That the sergeant-at-arms be, and he is hereby instructed to request secretary Lee to furnish a small coal stove to be placed near the speaker's desk. Adopted.

On motion of Mr. Herrick, the house proceeded to the election of a messenger.

Mr. Douglass nominated Mr. Mead, Mr. Miller nominated Mr. King, Mr. Herrick nominated Mr. Armstrong. Messrs. Douglass and Wilson were appointed tellers. On the first ballot, Mr. King had four votes, Mr. Armstrong four votes, Mr. Mead two votes. It requiring a majority of all votes cast to elect, there was no election. On the second ballot, Mr. King had five

votes, Mr. Armstrong had four votes, Mr. Mead had one vote. Necessary to a choice, 6.

Mr. Miller moved the house take a recess till 2 p. m. Lost.

On motion of Mr. Herrick, Mr. John King was declared elected messenger by acclamation.

Mr. Strong moved the house take a recess till 7 o'clock, p. m. Lost.

Mr. Strong moved the house adjourn. Carried.

The house adjourned at 11:35 a. m.

L. L. BEDELL,

Chief Clerk of the House.

SIXTEENTH DAY.

HOUSE OF REPRESENTATIVES, }
October 29th, 1869. }

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the chaplain.

Absent at roll call—Mr. Wilson.

Journal read and approved.

On motion of Mr. Miller, Mr. John L. Wurtzebach, ex-member of the Colorado legislature, was invited to a seat within the bar of the house.

On motion of Mr. Douglass, Judge W. A. Carter, of Carter county, was invited to a seat within the bar of the house.

The report of standing committee on federal relations, to whom was referred council memorial and joint resolution to the honorable secretary of war, in relation to the establishment of prisons in the western part of the territory, which was laid over under the rules, was taken up and adopted.

The following report from committee on agriculture was presented:

Mr. Speaker:

The committee on agriculture to whom was referred house bill No. 2, a bill for an act to protect game and fish, beg leave to report that after due consideration, we deem it prudent to recommend that it be referred back to the originator of the bill.

HOWARD SEBREE,

Chairman of Committee.

Report adopted.

The following report was received:

Mr. Speaker :

The committee on agriculture, to whom was referred house bill No. 8, a bill for "an act to encourage the growth of fruit, shade, and forest trees," have examined the same, and report it back to the house, recommending its passage.

HOWARD SEBREE,

Chairman.

Mr. Miller introduced the following resolution :

Resolved, That this house will take no action whatever in relation to divorce cases, they, in the opinion of this house, belonging exclusively to the courts of law.

Laid over under the rules.

Mr. Sheeks moved that rule 25 of the rules for the government of the house, as printed, be corrected so that in the second line the words "by their title," be stricken out, and the words "at length" be substituted instead. And that the rule be amended by striking out the words, "and no amendments shall be in order except by a unanimous consent of the house." Also, that rule 42 of printed rules be corrected by striking out the words, "executive members of the council" in the second line, and substituting therefor, the words "federal officers of the territory."

Carried.

Mr. Douglass gave notice that he would on Monday next, or some subsequent day, introduce a bill for "an act to protect railroad employees injured while in the discharge of their duty."

Mr. Miller moved that on and after Monday next, the hour of daily meeting shall be 7 p. m., until otherwise ordered by the house. Lost.

Mr. Strong gave notice, that he would on Monday next, introduce a bill for "an act to create a new county out of that portion of the territory detached from the territories of Utah and Idaho."

Mr. Wilson introduced house bill No. 14, "providing for the holding of elections, and creating and filling territorial and county offices."

Read first time.

On motion of Mr. Douglass, the rules were suspended, and the bill read a second time by title, and ordered printed, and made a special order for November 10th, at 2 p. m.

The following communication was received:

EXECUTIVE DEPARTMENT, CHEYENNE, W. T. }
October 28th, 1869. }

HON. S. M. CURRAN,

Speaker of the House of Representatives :

In response to house resolution No. 5, I have the honor to

state that a flag has been provided, to be placed upon the wall above the speaker's platform. It is herewith presented.

Very respectfully,

EDWARD M. LEE,
Secretary of the Territory.

Mr. Miller gave notice, that he would on Monday next, introduce a bill providing for a special election in the territory of Wyoming.

The council memorial to the honorable secretary of war, relative to the establishment of prisons in the western part of the territory, was read a third time and adopted.

On motion of Mr. Miller, the house adjourned at 12:5 p. m.

L. L. BEDELL,
Chief Clerk of the House.

SEVENTEENTH DAY.

HOUSE OF REPRESENTATIVES, }
October 30th, 1869. }

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the chaplain.

Absent at roll call—Messrs. Miller, Abney and Wilson.

Mr. Miller was excused by consent of the house.

Journal read and approved.

Mr. Sheeks presented the following report :

Mr. Speaker :

The committee on judiciary to whom was referred house bill No. 12, a bill for "an act to regulate the rates of money interest," have, according to order, had the same under consideration and report it back with a bill entitled a bill for "an act to regulate the interest on money," the passage of which they recommend as a substitute for the original bill.

BEN SHEEKS,
Chairman of Committee.

The report of the committee on agriculture in relation to house bill No. 8, a bill for an act to encourage the growth of fruit, shade and forest trees, which laid over one day, was taken up and adopted.

Mr. Herrick introduced house bill No. 15, a bill for "an act exempting members of fire companies from duty as jurors."

Read first time.

Mr. Douglass introduced house bill No. 16, a bill for "an act for the protection of live stock and other property along the lines of railroads in the territory of Wyoming."

Read first time.

On motion of Mr. Abney the rules were suspended, and the bill read a second time by its title, and referred to a special committee composed of one member from each county in the territory.

Messrs. Abney, Strong, Douglass and Haas were appointed such committee.

The following communication was received.

EXECUTIVE DEPARTMENT, CHEYENNE, W. T., }
October 29th, 1869.

HON. S. M. CURRAN,

Speaker of the House of Representatives:

SIR:—I have the honor to acknowledge the receipt of concurrent resolution of the council and house of representatives, of which the following is a copy:

COUNCIL CHAMBER, CHEYENNE, W. T., }
October 20, 1869. Eighth day.

"Resolved by the council, the house concurring, that the Hon. E. M. Lee, secretary of the territory, be respectfully requested, inasmuch as the Cheyenne *Argus* is the official journal of the territory of Wyoming, to furnish said paper the government printing."

Endorsements on above;

Concurrent resolution No: 8.

"I certify that the above resolution passed the council October 20th, 1869."

EDWARD ORPEN,
Secretary of Council.

Read first time.

Read second time, and on motion adopted.

L. L. BEDELL,
Chief Clerk of the House.

In response to said resolution, I have to say that no evidence has come to the knowledge of this department, that the newspaper mentioned has been declared by the United States or any of its officers, to be the official organ of the United States for the territory of Wyoming. Until such evidence shall have been received

and accepted, the request contained in the above mentioned resolution cannot be complied with.

Very respectfully,

EDWARD M. LEE,

Secretary of Territory.

On motion of Mr. Douglass, the communication was laid on the table.

House bill No. 8, a bill for an act to encourage the growth of fruit, shade and forest trees was taken up.

Mr. Sheeks offered the following amendment to the bill :

That house bill No. 8, a bill for an act to encourage the growth of fruit, shade and forest trees be amended by striking out the first and second sections.

Amendment adopted.

On motion of Mr. Seabee, the bill was ordered to be engrossed and printed.

The following resolution, which laid over one day, was taken up:

Resolved, That this house will take no action whatever in relation to divorce cases, they in the opinion of the house belonging exclusively to the courts of law.

Resolution lost.

On motion of Mr. Douglass, the rules were suspended and the house adjourned till 7 p. m. on Monday evening.

L. L. BEDELL,

Chief Clerk House of Representatives.

EIGHTEENTH DAY.

HOUSE OF REPRESENTATIVES, }
November 1, 1869.

House met pursuant to adjournment.

The speaker in the chair.

Prayer by the chaplain.

Absent at roll call, Messrs. Seabee, Strong and Wilson.

Journal read and approved.

The report of committee on judiciary on house bill No. 12, a bill for "an act to regulate the rates of money interest," which laid over one day, was taken up for consideration.

Mr. Abney moved the report be laid on the table. Lost.

Mr. Strong moved the report be adopted. Lost.

Mr. Strong moved the report, with the bill and substitute be referred to committee on ways and means.

Carried, and the report with the bill and substitute were so referred.

Mr. Abney introduced the following resolution :

Resolved, That a select committee composed of the delegation from Cheyenne be appointed to inquire into the financial condition of the city of Cheyenne, and, if necessary empowered to send for papers, books or persons.

On motion of Mr. Miller the rules were suspended and the resolution adopted.

Mr. Herrick gave notice that he would on Wednesday next, or some subsequent day introduce a bill for "an act to compel railroad companies to receive their vouchers in payment of freight and fare when tendered in Wyoming territory."

Mr. Douglass moved that Major Lewis Lowrey, of Fort Steele, be admitted to a seat within the bar of the house. Carried.

Mr. Sheeks moved that Judge W. A. Carter, of Carter county, be invited to a seat within the bar of the house. Carried.

Mr. Strong introduced house bill No. 17, a bill for "an act creating a new county of that portion of the territory of Wyoming detached from the territories of Utah and Idaho." ✓

Read first time.

On motion of Mr. Miller, the bill was read a second time by its title, and referred to the committee on counties and county lines.

A petition signed by numerous persons accompanying house bill No. 17, was also referred to the committee on counties and county lines.

House bill No. 15, a bill for "an act exempting members of fire companies from duty as jurors," was taken up for consideration, and read second time and referred to the committee on judiciary.

On motion of Mr. Miller the house adjourned at 7:30 p. m.

L. L. BEDELL,
Chief Clerk of the House.

NINETEENTH DAY.

HOUSE OF REPRESENTATIVES, }
November 2, 1869. }

The house met pursuant to adjournment.

Prayer by the chaplain.

Speaker in the chair.

Absent at roll call—Messrs Sebree and Wilson.

Journal read and approved.

Mr. Miller introduced the following joint resolution :

Be it Resolved by the Council and House of Representatives.
That a committee composed of three members from the council and three from the house be appointed to report a design for a seal for the territory of Wyoming.

Read first time.

On motion of Mr. Menefee the rules were suspended and the resolution read a second time and adopted.

Messrs. Miller, Strong and Wilson were appointed from the house.

Mr. Douglass introduced house bill No. 18, a bill for an act for the protection of railroad employees.

Read first time.

On motion of Mr. Miller the rules were suspended and the bill read a second time by its title, and ordered to be printed and made a special order for November 8th.

The following communication was received :

EXECUTIVE DEPARTMENT, CHEYENNE, W. T., }
November 1st, 1869. }

HON. S. W. CURRAN,

To the Hon. Speaker of the House of Representatives:

SIR:—In regard to the public printing, I have to state that all reports of committees upon bills for public acts or resolutions presented to either house, will, after a second reading, be printed at the expense of the United States, and circulated in sufficient numbers upon the desks of the members of both houses. Such bills or resolutions should be referred to this office for transmittal to the printer.

At the close of the session, the journals of both houses not exceeding two hundred and fifty copies each, together with the laws not exceeding fifteen hundred copies, will be printed at the expense of the United States.

Very Respectfully,

EDWARD M. LEE,

Secretary of the Territory.

Mr. Miller moved the communication be laid on the table.
Lost.

Mr. Strong moved the communication be referred to the committee on public printing. Carried.

The communication was so referred.

The following report was presented by Mr. Haas.

Mr. Speaker:

The committee on enrolled and engrossed bills, have examined house bill No. 5, a bill for "an act regulating the sale of poisons

in the territory;" and house bill No. 9, a bill for "an act creating the office of commissioner of statistics and immigration," and report them back correctly engrossed.

H. HAAS,

Chairman of Committee.

Mr. Menefee moved the report be adopted.

Carried.

House bill No. 5, a bill for "an act to regulate the sale of poisons in the territory," was taken up and read third time.

A vote was taken on the passage of the bill.

Voting in the affirmative—Messrs. Abney, Douglass, Herrick, Haas, Menefee, Sebree and Mr. Speaker.

Negative—Messrs. Miller, Sheeks, Strong and Wilson.

Yeas, 7; nays, 4.

The bill passed.

Title agreed to.

House bill No. 9, a bill for an act creating the office of commissioner of statistics and immigration was taken up and read for information.

On motion of Mr. Strong the bill was recommitted to the committee on immigration.

On motion of Mr. Sheeks the house adjourned at 11 A. M.

L. L. BEDELL,

Chief Clerk House Representatives

TWENTIETH DAY.

HOUSE OF REPRESENTATIVES, }
November 3, 1869. }

The house met pursuant to adjournment.

Speaker in the chair.

Prayer by the chaplain.

Journal read and approved.

Mr. Abney presented the following report:

Mr. Speaker:

Your committee on military affairs to whom was referred the memorial to the congress of the United States, praying for the removal of the head-quarters of the military department of the Platte, now at Omaha, Nebraska, to Fort D. A. Russell, near

Cheyenne, Wyoming territory, have had the same under consideration, and report it back to the house without amendment, and recommend its passage.

J. C. ABNEY.

Chairman.

Mr. Herrick gave notice that he would on Saturday next or some subsequent day, introduce a bill for "an act to provide homesteads in Wyoming territory."

On motion of Mr. Abney, the rules were suspended to allow Mr. Sebree to introduce house bill No. 19, a bill for "an act to provide for cases where voting precincts are thrown out for informality or illegality on the part of election officers."

Read first time.

On motion of Mr. Strong, the bill was read by consent a second time by its title and referred to the committee on elections.

On motion of Mr. Miller, the house adjourned at 10:30 A. M.

L. L. BEDELL,

Chief Clerk of the House.

TWENTY-FIRST DAY.

HOUSE OF REPRESENTATIVES, }
November 4th, 1869. }

House met pursuant to adjournment.

The speaker in the chair.

Prayer by the Rev. Mr. Reese, by invitation of chaplain.

Absent at roll call, Messrs. Menefee, Sheeks, and Wilson.

Journal read and approved.

The report of committee on military affairs, in relation to the memorial to congress, praying for the removal of the military head quarters from Omaha to Fort D. A. Russell, in Wyoming territory, was taken up.

On motion of Mr. Miller, the report was adopted.

Mr. Miller presented the following report:

Mr. Speaker:

The committee on agriculture to whom was referred house bill No. 2, a bill for an "act for the protection of game and fish," have had the same under consideration, and report it back, with

substitute for the same, the adoption of which they respectfully recommend.

LOUIS MILLER,
Chairman of Committee.

Mr. Miller, moved that the use of the hall of the house of representatives, be tendered to Miss Redelia Bates, of St. Louis, for the purpose of delivering a lecture therein.

Carried.

Mr. Miller moved that a committee be appointed to wait on Secretary Lee, in relation to a committee room.

Carried.

Messrs. Miller, Sebree and Douglass, were appointed such committee.

On motion of Mr. Miller, the report of the committee on agriculture, in relation to house bill No. 2, a bill for the protection of game and fish, was taken up for consideration. The substitute presented was read for information.

On motion of Mr. Strong the substitute and the original bill were referred to a special committee, composed of one member from each county.

Messrs Strong, Miller, Sheeks and Abney, were appointed such committee.

Mr. Miller introduced house bill No. 20, a bill for an "act to provide for the location of a territorial penitentiary."

Read first time.

On motion of Mr. Strong the bill was read a second time by its title.

On motion of Mr. Miller the bill was referred to a committee composed of one member from each county.

Messrs. Miller, Haas, Sheeks and Strong, were appointed such committee.

The memorial to congress in relation to the removal of military head-quarters from Omaha, to Fort D. A. Russell was read a third time.

A vote was taken on its passage.

Ayes—Messrs, Abney, Douglass, Haas, Menefee, Sheeks, Sebree, Strong, Wilson and Mr. Speaker.

Nays,—Messrs Herrick and Miller.

Ayes 9.

Nays 2.

The memorial was adopted.

Mr. Sebree moved that the title be amended, so that it read, "a memorial to congress, praying for the removal of the head-quarters of the military department of the Platte, from Omaha, Nebraska, to Fort D. A. Russell in Wyoming territory.

Amendment adopted, title agreed to.

Mr. Miller moved to adjourn. Lost.

Mr. Miller moved to take a recess till 2, p. m.

Lost.

Mr. Sheeks moved to adjourn.

Carried.

House adjourned at 11, a. m.

L. L. BEDELL,

Chief Clerk House of Representatives.

TWENTY-SECOND DAY.

HOUSE OF REPRESENTATIVES, }
November 5, 1869.

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the chaplain.

Absent at roll call—Mr. Wilson.

Journal read and approved.

Mr. Menefee presented the following report:

Mr. Speaker :

The committee on counties and county lines, to whom was referred house bill No. 17, a bill creating a new county out of that portion of this territory detached from the territories of Utah and Idaho, have had the same under consideration, and report it back with the following amendment, and recommend its adoption.

Section 1. To be amended so as to read from beginning at sixth line as follows: "Commencing at intersection of the forty-first parallel of latitude and the thirty-third meridian of longitude west from Washington, running thence north along said thirty-third meridian of longitude to its intersection with the forty-fifth parallel of latitude, thence west along said forty-fifth parallel of latitude to its intersection with the thirty-fourth meridian of longitude west from Washington, thence south along said thirty-fourth meridian to its intersection with the forty-first parallel of latitude, thence east along said parallel to place of beginning.

J. W. MENEFEE,

Chairman.

On motion of Mr. Miller, the rules were suspended and the report adopted.

Bill ordered to be engrossed.

Mr. Miller presented the following report :

Mr. Speaker:

Your select committee appointed to wait on the honorable secretary, E. M. Lee, in relation to a committee room, would respectfully report that a room will be furnished by the secretary on Monday next.

LOUIS MILLER,

Chairman.

Mr. Sheeks gave notice that he would on Monday next, or some subsequent day, introduce a bill for "an act regulating marriages." Also a bill for "an act relating to divorces and alimony."

Mr. Wilson introduced house bill No. 21, a bill for "an act regulating the fees of county officers."

On motion of Mr. Sheeks, the rules were suspended and the bill read twice by its title, and referred to the committee on ways and means.

Mr. Miller moved that house bill No. 17, a bill for "an act creating the county of Uintah," be referred to a committee of the whole house, and made a special order for Wednesday, November 10th, at 2 p. m. Carried.

Mr. Sheeks moved to adjourn until Monday next. Lost.

Mr. Abney moved to adjourn until 9 o'clock on Saturday morning. Lost.

Mr. Abney moved to adjourn. Carried.

House adjourned at 11 a. m.

L. L. BEDELL,

Chief Clerk of the House.

TWENTY-THIRD DAY.

HOUSE OF REPRESENTATIVES, }
November 6th, 1869. }

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the chaplain.

Absent at roll call—Messrs. Miller, and Sebree.

Journal read and approved.

Mr. Wilson presented a petition signed by one hundred and four citizens of Green River county petitioning against the annexation of that county, to Carter county.

On motion of Mr. Strong the petition was referred to the committee of the whole, and made a special order for Wednesday 10th November.

Mr Herrick presented the following report:

Mr. Speaker:

Your committee on immigration, to whom was referred house bill No. 9, a bill for an "act creating the office of commissioner of statistics and immigration," have had the same under consideration, and would respectfully report the same back to the house, with a recommendation that it do pass.

WM. HERRICK,

Chairman of Committee.

Mr. Haas presented the following report:

Mr. Speaker:

Your committee on engrossed and enrolled bills, have examined house bill No. 8. a bill for an act, for the encouragement of the growth of trees, and report it back to the house, correctly engrossed.

H. HAAS,

Chairman of Committee.

Mr. Wilson presented the following report:

Mr. Speaker:

Your committee on public printing, have had the communication of the secretary of the territory, in relation to the printing of bills under consideration, and recommend that in accordance with the intimation of the same, all bills after this second reading be transmitted to the secretary, for the purpose of being printed for circulation among the members of both houses, at the expense of the United States.

P. S. WILSON,

Chairman of Committee.

On motion of Mr. Sheeks, the report was adopted.

The following communication was received:

EXECUTIVE DEPARTMENT, CHEYENNE, W. T., }
November 4th, 1869.

HON. S. M. CURRAN,

To the Hon. Speaker of the House of Representatives:

SIR:—In response to the house resolution No. 4, I have the honor to transmit herewith, for the use of the legislature, six copies (being all that were obtainable) of the journal of the house of representatives of Colorado territory, seventh session 1868.

Also, one copy each, of the laws of Colorado, for the years 1866 and 1867.

Very respectfully,

EDWARD M. LEE,

Secretary of Territory.

EXECUTIVE DEPARTMENT, CHEYENNE, W. T., }
November 5th, 1869.

HON. S. M. CURRAN,

Speaker of the House of Representatives :

SIR:—I have the honor to transmit herewith, a copy of a letter received from the Secretary of State of Nevada, in regard to copies of laws, journals, &c., asked for by the house of representatives, in resolution No. 4.

Very Respectfully,

EDWARD M. LEE,

Secretary of the Territory.

STATE OF NEVADA,
OFFICE OF SECRETARY OF STATE. }
Carson City, November 2d 1869.

HON. E. M. LEE,

Secretary of the Territory of Wyoming,

CHEYENNE.—SIR :

Yours of the 29th ult., is received, and in answer, I have to say, that our State prints only enough of the journals, to distribute to states and territories, and for home use, therefore I cannot comply with your request for copies of the journal of our assembly, as they are not on hand to spare.

Very Respectfully,

(Signed,)

C. W. NOTEWARE,

Secretary of State.

BY CHARLES MARTIN,

Deputy.

COUNCIL CHAMBER, }
November 5th 1869.

HON. S. M. CURRAN,

Speaker of the House of Representatives :

SIR:—I am instructed by the council, to inform the house that they have passed council bill No. 10, entitled an "act to legalize the assessment and levy of taxes in Albany County, for 1869.

The same is herewith transmitted.

Respectfully,

EDWARD ORPEN,

Secretary of the Council.

Council bill No. 10, was taken up and read first time:

On motion of Mr. Strong the bill was read a second time by its title, and referred to the delegates from Albany county, Messrs Douglass, Miller and Herrick.

On motion of Mr. Herrick, house bill No. 9, was taken up and read for information.

Mr. Abney moved the rules be suspended and the bill put upon its passage. Carried.

A vote was taken on the passage of the bill.

Ayes—Messrs. Abney, Douglass, Herrick, Haas, Menefee, Seabee, Wilson and Mr. Speaker.

Nays—Messrs. Sheeks and Strong.

Ayes 8; nays 2.

The bill passed.

Title agreed to.

Mr. Strong presented the following report:

Mr. Speaker:

Your committee on ways and means, to whom was referred house bill No. 12, a bill for "an act to regulate the rates of money interest in the territory of Wyoming," and the substitute therefor, have had the same under consideration, and beg leave to submit the following report:

That we recommend the passage of the substitute with the following amendments: That in section 4, line 13, be stricken out the words "three months," and the words "thirty days" be inserted therefor. Also that section 6 be stricken out, and the following substituted therefor: "Auditor's warrants, county orders and other like evidences or certificates of indebtedness, shall bear interest at the rate of twelve per cent. per annum, from the date of the presentation thereof, for payment at the treasury where the same may be payable, until there is money in the treasury for the payment of the same, and every territorial or county treasurer to whom such order or warrant is presented for payment, shall endorse thereon the words, "not paid for want of funds," and sign the same officially."

J. C. STRONG,

Chairman of Committee.

On motion of Mr. Abney, the report with the amendments adopted. Bill was ordered to be engrossed, and made special order for November 8th.

Mr. Menefee introduced the following joint resolution, by consent of the house:

Be it *Resolved*, By the legislative assembly of the territory of Wyoming.

SEC. 1. That there be allowed to P. S. Wilson, the sum of four hundred dollars, as a reimbursement, for funds advanced the

Governor of this territory, to defray the expenses of territorial prisoners.

SEC. 2. The territorial auditor is hereby authorized and instructed, to issue a territorial warrant to the said Posey S. Wilson, for the amount above stated in this resolution.

Read first time.

On motion of Mr. Wilson the rules were suspended, and the resolution read a second time by its title, and referred to the committee on ways and means.

Mr. Wilson moved to adjourn.

Motion withdrawn.

Mr. Menifee moved to adjourn till 3, o'clock p. m., on Monday next. Carried.

House adjourned at 11:30, a. m.

L. L. BEDELL,
Chief Clerk.

TWENTY-FOURTH DAY.

HOUSE OF REPRESENTATIVES, }
November 8th, 1869.

The house met pursuant to adjournment.

Speaker in the chair.

Prayer by the chaplain.

Absent at roll call—Messrs. Abney, Haas, Menefee, Seabee, Sheeks, Strong and Wilson.

Sergeant-at-arms was dispatched after absentees.

All further proceedings under call of the house were dispensed with.

On motion of Mr. Douglass, the further consideration of house bill No. 18 was postponed until Thursday, November 11th at 10½ o'clock a. m.

On motion of Mr. Douglass the house resolved itself into a committee of the whole for the consideration of house bill No. 12, a bill for "an act regulating the rates of money interest in Wyoming territory."

After some time spent in consideration of the bill, the committee rose, and through their chairman reported as follows:

Mr. Speaker:

The committee of the whole have had house bill No. 12 under consideration, and would report as follows: That we have amended section 6, by inserting after the word "payment," the words

"provided if he has not a sufficient amount of funds in the treasury to pay the same," and recommend the passage of the bill as amended.

J. N. DOUGLASS,

Chairman of Committee.

On motion of Mr. Strong, the report was adopted and the bill ordered to be engrossed.

Mr. Wilson presented the following report:

Mr. Speaker:

Your committee on public printing have to report that house bill No. 18, which was ordered to be printed and made a special order for November 8th, as correctly printed, and is herewith presented.

P. S. WILSON,

Chairman of Committee.

On motion of Mr. Douglass the house reconsidered its previous action in relation to house bill No. 18, and

On motion of Mr. Menefee, the house resolved itself into a committee of the whole for the consideration of the bill.

After sometime spent in consideration of the bill, the committee rose, and through their chairman reported as follows:

Mr. Speaker:

The committee of the whole have had under consideration house bill No. 18, a bill for "an act for the protection of railroad employees injured while in the discharge of their duty," and would report, that we recommend the passage of the bill, without amendment.

J. N. DOUGLASS,

Chairman of Committee.

On motion of Mr. Miller, the report was adopted.

On motion of Mr. Douglass, the bill was taken up and read a third time.

A vote was taken on the passage of the bill.

Voting in the affirmative.

Messrs. Abney, Douglass, Herrick, Haas, Miller, Menefee, Sheeks, Sebree, Strong, Wilson and Mr. Speaker. 11.

Ayes 11; nays none.

The bill passed.

Title agreed to.

Mr. Douglass presented the following report:

Mr. Speaker:

Your special committee consisting of the members from Albany county to whom was referred council bill No. 10, a bill for an "act legalizing the assessment, and levy of taxes in, and for Al-

bany county, for the year 1869," respectfully report the same back to the house, with a recommendation that it do pass.

J. N. DOUGLASS,
Chairman of Committee.

On motion of Mr. Miller, the report was adopted.

On motion of Mr. Miller, council bill No. 10, was taken up and read a third time.

A vote was taken on the passage of the bill.

Ayes—Messrs. Abney, Douglass, Herrick, Haas, Menefee, Miller, Sheeks, Sebree, Strong, Wilson and Mr. Speaker.—11.

Nays—None.

The bill passed.

Title agreed to.

On motion of Mr. Miller the house adjourned at 3:55 p. m.

L. L. BEDELL,
Chief Clerk of the House.

TWENTY-FIFTH DAY.

HOUSE OF REPRESENTATIVES, }
November 9th, 1869.

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the chaplain.

Absent at roll call—Messrs. Abney and Sebree.

Mr. Sebree was excused on account of sickness.

The Journals the 6th and 8th insts. were read and approved.

Mr. Herrick presented a petition signed by Geo. Van Dyke and seventy-three other citizens of Sherman, asking for a change of boundary line of Albany county.

Mr. Strong moved the petition be referred to the committee on counties and county lines.

Mr. Douglass moved as an amendment to the motion of Mr. Strong, that the petition be referred to a special committee, composed of the members from Albany county.

Amendment put and lost.

The original motion was then put and carried.

Mr. Menefee presented the following report:

Mr. Speaker:

Your committee on public lands, to whom was referred house bill No. 11, a bill for "an act for the protection of settlers upon

the public lands," have had the same under consideration and report the bill back to the house with a substitute, the passage of which they recommend.

JAS. W. MENEFEE,
Chairman of Committee.

The substitute presented was read for information.

On motion of Mr. Miller, the substitute was ordered printed, and referred to the committee of the whole, and made a special order for Monday November 15th at 3; p. m.

Mr. Wilson introduced the following resolution :

Resolved, That the hall of the house of representatives, shall not be tendered to any person, or persons, for any purpose whatever, without first obtaining the consent of two-thirds of the members of the house.

Adopted.

Mr. Abney introduced the following resolution :

Resolved, That the thanks of the house, be extended to the Hon. Secretary Lee, for the prompt and courteous manner in which he has responded to all the requests made upon him by the house.

Mr. Strong moved to lay the resolution on the table. Lost.

Mr. Miller moved to adopt the resolution. Lost.

Mr. Douglas moved that the house reconsider its action on the motion to adopt. Lost.

Mr. Douglass moved that the action of the house of the previous day, in relation to house bill No. 18, a bill for "an act for the protection of railroad employes injured while in the discharge of their duty," be reconsidered, and the bill taken up for reconsideration. Carried.

Mr. Strong moved the bill be referred to the committee on judiciary. Lost.

Mr. Menefee moved that the bill be amended by inserting the words "or injured" between the words "killed" and "by" in the third line of section 1. Carried.

Mr. Douglass moved the words "or injured" be inserted in the bill wherever necessary. Carried.

The bill was ordered to be engrossed for a third reading to-morrow.

Mr. Miller introduced house bill No. 22, a bill for "an act to repeal an act incorporating the city of Laramie."

Read first time.

On motion of Mr. Douglass the rules were suspended and the bill read a second time by its title and referred to the committee on counties, county lines and incorporations.

Mr. Sheeks introduced house bill No. 23, a bill for "an act regulating divorces and alimony."

On motion of Mr. Herrick, the rules were suspended and the bill read a first and second time by its title, and referred to the committee on judiciary.

On motion of Mr. Abney, the house adjourned at 11:30 a. m.

L. L. BEDELL,

Chief Clerk House of Representatives.

TWENTY-SIXTH DAY.

HOUSE OF REPRESENTATIVES, }
November 10th, 1869.

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the chaplain.

Absent at roll call—Mr. Sebree and Wilson.

Journal read and approved.

Mr. Haas presented the following report:

Mr. Speaker:

Your committee on engrossed and enrolled bills, have examined house bill No. 12, a bill for an "act, regulating interests on money," and report the same correctly engrossed.

H. HAAS,

Chairman of Committee.

Mr. Speaker:

Your committee on election to whom was referred, house bill No. 19, a bill for an "act providing for cases where voting precincts are thrown out, for informality or illegality, on the part of election officers," have had the same under consideration, and report it back to the house, and recommend its passage.

H. HAAS,

Chairman of Committee.

On motion of Mr. Miller the report was adopted.

Mr Abney presented the following report:

Mr. Speaker:

Your special committee to whom was referred house bill No. 16, a bill for an "act providing for the protection of live stock and other property, along the lines of the railroads, in the territory of Wyoming," have had the same under consideration, and

Section 1. Line 30; amended by striking out the words "intruding premises" and "or" and insert the word "trespassing" in same line.

Section 3. Line 11; amend by adding the words, "or other courts of competent jurisdiction," after the words "justice of the peace."

Section 3. Line 16; amend by striking out the word "made," and inserting the word "occasioned," inserted.

J. C. ABNEY.

Chairman of Committee.

On motion of Mr Douglass, the report was adopted with the amendments, and the bill ordered to be engrossed for a third reading to-morrow.

Mr. Sheeks, gave notice that he would on Friday next, or some subsequent day, introduce a bill for an "act to regulate proceedings on habeas corpus;" also a bill for an "act to regulate the selecting, drawing and empanelling of grand jurors, and petit jurors."

Mr. Herrick introduced house bill No. 24, a bill for an "act to provide for homesteads in the territory of Wyoming."

Read first time.

Mr. Strong, moved the bill be read a second time by its title, and referred to the committee on judiciary.

Mr. Sheeks moved to lay the bill on the table. Carried,

Mr. Douglass called for the ayes and nays on the motion to lay on the table.

Ayes—Messrs. Douglass, Haas, Menefee, Miller, Sheeks, Wilson and Mr. Speaker.—7.

Nays—Messrs. Abney, Herrick, Sebree and Strong.—4.

House bill No. 12, a bill for "an act regulating interest on money" was taken up and read a third time.

A vote was taken on the passage of the bill.

Ayes—Messrs. Abney, Douglass, Herrick, Haas, Miller, Menefee, Sheeks, Sebree, Strong, Wilson and Mr. Speaker.—11.

Nays—None.

The bill passed.

Title agreed to.

Mr. Wilson presented the following report :

Mr. Speaker :

Your committee on public printing have to report that house bill No. 14, entitled "an act regulating elections in Wyoming territory," which was ordered printed and made a special order for this day at 2 o'clock p. m., was unavoidably delayed in the printing, but will be ready on to-morrow.

P. S. WILSON,

Chairman.

Mr. Wilson moved the consideration of the bill referred to, in the above report be postponed until to-morrow evening at 7, p. m.

Mr. Strong moved the consideration of the bill be postponed till the day after to-morrow.

Mr. Herrick moved, that the consideration of the bill referred to, be postponed until 2 p. m., on Friday. Mr. Herrick's motion being the longest time, was put first, and carried.

Mr. Haas, presented the following report:

Mr. Speaker :

The committee on engrossed and enrolled bills, have examined house bill No. 18, and report the same back to the house, correctly engrossed.

H. HAAS,

Chairman of Committee.

House bill No. 18, was taken up for consideration.

Mr. Douglass moved the bill be referred back to the committee on engrossed and enrolled bills, for the purpose of having the title endorsed thereon. Carried.

On motion of Mr. Miller, the house took a recess till 2 p. m.

AFTERNOON SESSION.

House met at 2 o'clock p. m.

Absent at roll call, Messrs. Abney, Haas, Sebree, and Wilson.

Mr. Herrick introduced the following resolution:

Resolved, That the Hon. J. H. Noteware, who has been for eight years, a member of a body similar to our own, be invited to a seat within the bar of the house during its session.

Adopted.

Mr. Miller moved that the use of the hall of the house of representatives, be allowed to the Sergeant-at-arms, for this evening, provided, however, that he will see all desks and papers replaced in good order, for to-morrow's session.

Mr. Sheeks, moved the motion be amended, by striking out the proviso.

Amendment put and carried.

Original motion put and carried.

Mr. Strong moved that absent members be sent for. Carried.

A call of the house was had.

Mr. Wilson moved that all further proceedings under call of the house be dispensed with. Carried.

Mr. Sheeks moved that house bill No. 17, a bill for an "act creating a new county," which was made a special order for this hour, be laid on the table. Lost.

Mr Strong moved that the house resolve itself into a committee of the whole, for the consideration of the bill. Carried.

Mr. Strong, was called to the chair.

After sometime spent in consideration of the bill, the committee rose and through their chairman reported as follows:

Mr. Speaker:

The committee of the whole, to whom was referred house bill No. 17, a bill for an "act creating a new county, out of that portion of this territory, detached from the territories of Utah and Idaho," have had the same under consideration, and report the bill back to the house, recommending its passage as amended.

J. C. STRONG,

Chairman of Committee.

On motion of Mr. Douglass, the report was adopted.

Mr. Wilson introduced the following resolution:

Resolved, That the Governor of this territory, be respectfully requested to furnish this house, all of the correspondence and other facts, concerning the territorial prisoners, now confined in the state prison at Detroit; on account of this territory, and also an account of the expense already incurred, and to be incurred, as nearly as he can estimate, and also, information concerning arms for Militia, and volumes of books tendered him for the territory, by the secretary of the interior.

On motion of Mr. Douglass, the rules were suspended, and the resolution adopted.

On motion of Mr. Menefee, house bill No. 17, was taken up and read a third time, and put upon its passage.

A vote was taken on the passage of the bill.

Ayes.—Messrs. Abney, Douglass, Haas, Herrick, Miller, Menefee, Sheeks, Seabee, Wilson, and Mr. Speaker.

Nays.—Mr. Strong.

Ayes 10;—Nays 1.

The bill passed.

Mr. Sheeks moved the title be amended so as to read, a bill for an "act to create the county of Uintah." Adopted.

And the title as amended was agreed to.

On motion of Mr. Miller the house adjourned at 2:40 p. m.

L. L. BEDELL,

Chief Clerk of the House.

TWENTY-SEVENTH DAY.

HOUSE OF REPRESENTATIVES, }
November 11th, 1869.

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the chaplain.

Absent at roll call—Mr. Wilson.

Journal read and approved.

Mr. Sheeks, presented a petition signed by John W. Neall, and twelve other citizens of Carter county, asking for an election of county and precinct officers, in that county.

Referred to committee on election.

Mr. Haas, presented the following report:

Mr. Speaker:

Your committee on engrossed and enrolled bills, have examined house bill No. 18, and report the same back to the house, correctly engrossed.

H. HAAS,

Chairman of Committee.

Mr Sheeks presented the following report:

Mr. Speaker:

Your committee on judiciary, to whom was referred house bill 23, a bill for an act regulating divorces and alimony, have had the same under consideration, and report the same back to the house, recommending its passage without amendment.

BEN. SHEEKS,

Chairman of Committee.

On motion of Mr. Herrick the report was adopted.

Mr. Miller presented the following report:

Mr. Speaker:

Your select committee to whom was referred house bill No. 20, a bill for an "act to locate the territorial penitentiary," have had the same under consideration, and would respectfully report it back to the house, with a substitute, the passage of which they recommend.

LOUIS MILLER,

Chairman of Committee.

On motion of Mr. Douglass, the report was adopted.

Mr. Sebree presented the following report:

Mr. Speaker :

Your committee on agriculture, to whom was referred house bill No. 10, a bill for an "act to prevent the running at large of stock in Laramie county," have had the same under consideration and report it back to the house, recommending its passage.

HOWARD SEBREE,

Chairman of Committee.

On motion of Mr. Abney, the report was adopted.

Mr. Strong presented the following report:

Mr. Speaker :

Your special committee to whom was referred house bill No. 2, and substitute therefor, beg leave to report, that we recommend the passage of the substitute, with the following amendments:

Strike out section 1, and substitute the following:

"It shall be unlawful for any person or persons, to offer for sale any elk, deer, antelope, mountain sheep, or young of their kind, between the first day of February, and the fifteenth day of August, in each year. We also recommend that section 4, be stricken out, and the following inserted instead. "Any person or persons, who shall violate any section or sections of this act, shall forfeit and pay the sum of one hundred dollars, one-fourth to go to the informer, and the remainder to the use of the Public schools, within the county wherein the offence was committed, to be recovered in any action of debt, in the name of the complainant, and the people of Wyoming territory."

J. C. STRONG,

Chairman of Committee.

On motion of Mr. Miller the report was adopted.

On motion of Mr. Miller the house reconsidered its action of yesterday in relation to house bill No. 24, a bill for "an act providing for homesteads in Wyoming territory," and the bill was taken up and read a second time by its title and referred to a special committee composed of one member from each county.

Messrs. Sebree, Menefee, Douglass and Strong were appointed such committee.

The following message was received:

EXECUTIVE DEPARTMENT, CHEYENNE, W. T., }
November 10th, 1869.

HON. S. M. CURRAN,

To the Hon. Speaker of the House of Representatives:

SIR—I have the honor to transmit herewith thirteen copies of a journal of the house of representatives, and one copy of the laws, resolutions, &c., of the state of Nebraska, for the use of the

Wyoming legislature, in accordance with house resolution No. 4, requesting the same.

Very respectfully,

Your obedient servant,

EDWARD M. LEE,

Secretary of the Territory.

House bill No. 18, a bill for "an act for the protection of railroad employes," was taken up and read for information.

Mr. Sheeks moved the bill be recommitted to the committee on territorial affairs, with instructions to amend the same.

Carried, and the bill was so referred.

House bill No. 20, a bill for "an act providing for the location of the territorial penitentiary, and for the appointment of officers, and defining their duties," was taken up and read for information.

Mr. Douglass moved to fill the blanks in the bill in reference to location.

Mr. Sebree moved the bill be made a special order for Tuesday, November 16th. Carried.

House bill No. 10, a bill for "an act to prevent the running at large of stock in Laramie county," was taken up and read third time.

The bill was put upon its passage.

A vote was taken on the passage of the bill.

Ayes—Messrs. Abney, Douglass, Haas, Herrick, Miller, Menefee, Sheeks, Sebree, Strong and Mr. Speaker.—10.

Nays—None.

Bill passed.

Title agreed to.

On motion of Mr. Abney the house adjourned at 11:30 a. m.

L. L. BEDELL,

Chief Clerk of the House.

TWENTY-EIGHTH DAY.

HOUSE OF REPRESENTATIVES, }
November 12th, 1869.

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the chaplain.

Absent at roll call—Mr. Abney.

Journal read and approved.

Mr. Herrick introduced the following resolution :

Resolved, That the Hon. Chas. McDonald, ex-member of the Nebraska legislature be invited to a seat within the bar of the house during its sessions. Adopted.

Mr. Haas presented a report from the committee on engrossed and enrolled bills, stating that house bills Nos. 16, 17, 18 had been examined, and reporting the same back to the house correctly engrossed.

Mr. Menefee presented the following report :

Mr. Speaker :

Your committee on corporations to whom was referred house bill No. 22, a bill for "an act to repeal 'an act incorporating the city of Laramie,'" beg leave to repeat that they have had the same under consideration, and report it back to the house recommending its passage.

JAS. W. MENELEE,
Chairman of Committee.

On motion of Mr. Douglass the report was adopted.

Mr. Strong presented the following report :

Mr. Speaker :

Your committee on ways and means, to whom was referred house bill No. 21, a bill for "an act regulating the fees of county officers," have had the same under consideration, and beg leave to report it back to the house, with a substitute therefor, the passage of which they recommend.

J. C. STRONG,
Chairman of Committee.

The substitute was taken and read for information.

Mr. Strong moved the bill be referred to the committee of the whole, and made a special order for Monday, November 15th, at 2 p. m. Carried.

On motion of Mr. Wilson, the consideration of house bill No. 14, which was made a special order for this day at 2 p. m., was postponed till 7 p. m. this evening.

COUNCIL CHAMBER, CHEYENNE, W. T. }
November, 12th, 1869.

Mr. Speaker of the House of Representatives :

I am instructed to inform the house that the council have passed the following bills, viz :

Council bill No. 2, a bill for "an act adopting the common law of England, and certain statutes."

Council bill No. 6, a bill for "an act concerning marks and brands for stock.

Council bill No. 12, "an act to prevent the firing of woods and marshes.

Council bill No. 19, a bill for an "act concerning chattel mortgages."

Council bill No. 21, a bill for an "act relating to bills of exchange and promissory notes."

Council bill No. 22, a bill for an "act fixing the terms of the Supreme Court, and defining its duties."

Council bill No. 25, a bill for an "act to establish a code of criminal procedure, for the territory of Wyoming."

Council bill No. 29, a bill for an "act to protect married women in their separate property."

Council bill No. 27, a bill for an "act defining the jurisdiction of Justices of the Peace in criminal trials and of the proceedings therein."

All of which bills are herewith transmitted.

Respectfully,

EDWARD ORPEN,

Secretary of the Council.

Council bill No. 2, a bill for "an act adopting the common law of England, and certain states," was taken up and read first time.

On motion of Mr. Strong, the bill was read a second time by its title, and referred to the committee on judiciary.

Council bill No. 6, a bill for "an act concerning marks and brands for stock," was taken up and read a first time.

Mr. Menefee moved the rules be suspended and the bill read a second time by its title, and referred to the appropriate committee. Lost.

Mr. Strong moved the rules be suspended, and the bill be read a second and third time and put upon its passage.

Carried, and the bill was read a second and third time.

Mr. Miller moved the third reading of the bill be reconsidered. Lost.

Mr. Wilson moved the bill be amended by consent of the house, by the addition of the following section: Section 7. This act shall take effect from and after its passage. Carried.

The question being, shall this bill pass?

Ayes.—Messrs. Abney, Douglass, Herrick, Miller, Seabee, Strong and Wilson.—7.

Nays.—Messrs. Haas, Menefee, Sheeks and Mr. Speaker.—4.

The bill passed and title agreed to.

Council bill No. 12, a bill for "an act to prevent the firing of woods, marshes and prairies," was taken up and read a first time.

On motion of Mr. Douglass the rules were suspended, and the bill read a second and third time, and put upon its passage.

The question being, shall this bill pass?

Ayes.—Messrs. Abney Douglass, Herrick, Haas, Menefee, Millar, Sheeks, Seabee, and Mr. Speaker.—9.

Nays.—Messrs. Strong and Wilson.—2.

The bill passed, title agreed to.

Council bill No. 19, a bill for "an act concerning chattel mortgages," was taken up and read first time.

On motion of Mr. Miller, the rules were suspended, and the bill read a second time by its title, and referred to the judiciary committee.

Council bill No. 21, a bill for "an act relating to bills of exchange and promissory notes," was taken up, and

On motion of Mr. Abney, was read a first and second time by its title, and referred to the judiciary committee.

Council bill No. 22, a bill for "an act fixing the terms of the Supreme Court, and defining its duties," was taken up and read first time.

Mr. Douglass moved the bill be read a second and third time, and put upon its passage. Lost.

On motion of Mr. Strong the rules were suspended, and the bill read a second time by its title, and referred to the judiciary committee.

Council bill No. 25, a bill for "an act to establish a code of criminal procedure," was taken up for consideration.

On motion of Mr. Miller the rules were suspended, and the bill read a first and second time by its title, and referred to the judiciary committee.

On motion of Mr. Sebree the house took a recess until 2 p. m.
House met at 2 p. m.

Speaker in the chair.

Absent at roll call,—Messrs. Abney, Haas and Sheeks—3.

The Sergeant-at arms was dispatched for absentees.

On motion of Mr. Sebree, all further proceedings under call of the house were dispensed with.

Council bill No. 29, a bill for "an act to protect married women in their separate property," was taken up and read first time.

On motion of Mr. Sebree, the bill was read a second time by its title, and referred to the judiciary committee.

Council bill No. 27, a bill for "an act defining the jurisdiction of justices of the peace, in criminal trials, and of the proceedings therein," was taken up, and

On motion of Mr. Menefee, the rules were suspended, and the bill read a first and second time by its title, and referred to the judiciary committee.

House bill No. 19, a bill for "an act to provide for cases, where voting precincts are thrown out for informality, or illegality, on the part of election officers," was taken up and read a third time, the question being, Shall this bill pass?

Ayes—Messrs. Abney, Douglass, Herrick, Haas, Menefee, Sheeks, Sebree, and Mr. Speaker—8.

Nays—Mr. Strong—1.

The bill passed.

Title agreed to.

House bill No. 16, a bill for "an act providing for the protection of live stock and other property along the line of railroads in Wyoming territory," was taken up and read a third time, the question being. Shall the bill pass?

Ayes—Messrs. Abney, Douglass, Herrick, Haas, Miller, Menefee, Sheeks, Sebree, Wilson, and Mr. Speaker.—10.

Nays—Mr. Strong—1.

The bill passed.

Title agreed to.

House bill No. 22, a bill for "an act to repeal an act incorporating the city of Laramie," was taken up and read a third time, the question being. Shall this bill pass?

Ayes—Messrs. Abney, Douglass, Herrick, Haas, Menefee, Sheeks, Sebree, Strong, Wilson, and Mr. Speaker.—10.

Nays—None.

Bill passed, title agreed to.

House bill No. 23, a bill for "an act relating to divorces and alimony," was taken up.

On motion of Mr. Miller, the house resolved itself into a committee of the whole for the consideration of the bill. Mr. Douglass was called to the chair.

After some time spent in consideration of the bill, the committee arose and through their chairman made the following report:

Mr. Speaker:

The committee of the whole have had house bill No. 23 under consideration, and report that they have amended the last section, and recommend the passage of the bill as so amended.

J. N. DOUGLASS,

Chairman of Committee.

On motion of Mr. Miller the report was adopted.

The bill was read a third time, and a vote taken on its passage.

Ayes—Messrs. Abney, Douglass, Herrick, Menefee, Miller, Sebree, Sheeks, Strong, Wilson and Mr. Speaker.—10.

Nays—Mr. Haas.—1.

Bill passed and title agreed to.

On motion of Mr. Abney the house took a recess till 7 o'clock p. m.

EVENING SESSION.

House met at 7 p. m.

Speaker in the chair.

Absent at roll call—Messrs. Haas, Sebree and Wilson.

Mr. Miller moved the sergeant-at-arms be dispatched for absentees. Carried.

On motion of Mr. Sebree, all further proceedings under call of the house were dispensed with.

On motion of Mr. Strong, the house resolved itself into committee of the whole, for the consideration of house bill No. 14, a bill for "an act to provide for holding elections in Wyoming territory, and for creating and filling offices.

Mr. Wilson was called to the chair.

After some time spent in deliberation, the committee rose and reported as follows:

Mr. Speaker:

The committee of the whole have had house bill No. 14 under consideration, and have postponed the further consideration of the bill until November 16th, at 7 p. m., and it is made a special order for that day.

P. S. WILSON,

Chairman of Committee.

On motion of Mr. Strong the report was adopted.

On motion of Mr. Sebree, the house reconsidered its previous action in relation to house bill No. 8, a bill for "an act to encourage the growth of fruit, shade and forest trees," and the bill was taken up for consideration.

The bill was read for information.

Mr. Miller moved the bill be read a third time by its title, and put upon its passage. Carried.

Mr. Wilson moved the bill be amended as follows:

That in the eleventh line of the first section, the word, "year" be placed before the word "succeeding," instead of after that word.

That the twenty-second line of the same section be amended, by striking out the words "one thousand," and the words "five hundred," inserted instead.

That the fifty-first line of the same section be amended, by striking out the words "five thousand," and the words "two hundred," be inserted instead.

That the fifty-second line of the same section be amended, by striking out the words "twenty thousand," and the words "three hundred" be inserted instead.

Amendment put and carried.

Mr. Douglass moved to reconsider the vote, so far as it related to the striking out of the words "twenty thousand," and the substituting of the words "three hundred." Lost.

Mr. Strong moved the further consideration of the bill be postponed until Tuesday next, at 2 p. m. Lost.

On motion of Mr. Menefee the bill was ordered to be engrossed for a third reading on to-morrow.

Mr. Miller asked to be excused from duty for to-morrow.

By consent of the house he was excused.

On motion of Mr. Miller the house adjourned at 7:45.

L. L. BEDELL,
Chief Clerk of the House.

TWENTY-NINTH DAY.

HOUSE OF REPRESENTATIVES,
November 13th, 1869.

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the chaplain.

Absent at roll call—Messrs. Haas, Miller, Sebree and Wilson.

Mr. Miller was excused by the house.

Journal read and approved.

Mr. Haas presented the following report:

Mr. Speaker:

Your committee on engrossed and enrolled bills have examined house bills Nos. 2 and 8, and report them back to the house correctly engrossed.

H. HAAS,
Chairman of Committee.

Mr. Wilson introduced house bill No. 25, a bill for "an act to prevent stock stealing, and to provide for the punishment of the same."

Read first time.

Mr. Strong moved to lay the bill on the table. Lost.

On motion of Mr. Menefee, the rules were suspended and the bill read a second time by its title, and referred to the committee on judiciary.

House bill No. 2, a bill for "an act for the protection of game and fish," was taken up and read for information.

Mr. Herrick moved the consideration of the bill be postponed indefinitely. Lost.

Mr. Sebree moved the bill be read by sections and considered. Carried.

Mr. Strong moved the house reconsider its action on the vote to read the bill by sections. Lost.

Mr. Sheeks offered the following amendment:

That section 1 be amended so as to read as follows: "It shall be unlawful for any person to kill for sale, any elk, deer, antelope, mountain sheep, or young of their kind, between the 1st day of January and the 1st day of July in each year."

Amendment put and lost.

Mr. Strong moved the further consideration of the bill be postponed until Monday evening at 7 p. m. Lost.

Mr. Sebree moved the adoption of the first section. Carried.

On motion of Mr. Sebree the second section was adopted.

On motion of Mr. Strong the third section was adopted.

Mr. Abney moved that section 4 be amended by striking out the words "one-fourth" and inserting instead the words "one-tenth."

Mr. Sheeks moved an amendment to the last amendment by striking out the words "one-fourth," and inserting instead the words "one-hundredth." Lost.

Original amendment put and lost.

Mr. Herrick moved the adoption of section 4. Lost.

Mr. Herrick moved the reconsideration of the last vote. Lost.

Mr. Sheeks moved that section 4 be stricken out and the following inserted instead:

"Any person who shall violate any section or sections of this act, shall forfeit and pay the sum of fifty dollars, one-fourth to go to the informer, and the remainder to the public schools within the county wherein the offence was committed, to be recovered in any action of debt in the name of the complainant and the people of Wyoming territory.

Amendment put and carried.

Section 4 adopted as amended.

Mr. Sheeks moved that section 5 be amended by striking out the words "six months" and inserting the words "sixty days" instead. Carried.

Section adopted as amended.

Mr. Sheeks moved the bill be engrossed for a third reading to-morrow.

House bill No. 8, a bill for "an act to encourage the growth of trees" was taken up and read for information.

Mr. Strong moved to lay the bill on the table for future consideration. Lost.

Mr. Strong moved the house adjourn. Lost.

Mr. Herrick moved the bill be read a third time and put upon its passage. Carried.

The bill was read a third time, the question being, shall this bill pass?

Yeas—Messrs. Abney, Douglass, Herrick, Haas, Menefee, Sheeks, Sebree, Wilson and Mr. Speaker—9.

Nays—Mr. Strong—1.

Bill passed and title agreed to.

Mr. Douglass moved the house adjourn till 2 p. m. on Monday,
Carried.

House adjourned at 12 m.

L. L. BEDELL,

Chief Clerk of the House.

THIRTIETH DAY.

HOUSE OF REPRESENTATIVES, }
November 15th, 1869.

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the chaplain.

Absent at roll call—Messrs. Douglass, Herrick, Haas, Miller,
Sebree, Strong and Wilson.

The sergeant-at-arms was dispatched for absentees.

Mr. Abney moved the house take a recess till 3:10 p. m.

Carried.

House met at 3:10 p. m.

Speaker in the chair.

Absent at roll call—Mr. Wilson.

Journal read and approved.

Mr. Douglass moved that the house reconsider its action of
the previous day in relation to house bill No. 8, a bill for “an
act to encourage the growth of trees.” Carried.

And the bill was made a special order for November 17th at
10½ a. m.

The following message was received.

COUNCIL CHAMBER, CHEYENNE, W. T. }
November, 13th, 1869.

Mr. Speaker of the House of Representatives :

SIR:—I am directed to inform the honorable house of
representatives, that the council have passed council bill No. 26,
a bill for “an act to establish the courts and define the duties of
justices of the peace,” and it is herewith transmitted.

Respectfully,

EDWARD ORPEN,

Secretary of the Council.

Council bill No. 26 was taken up, and on motion of Mr. Sheeks the rules were suspended and the bill read twice by title, and referred to the committee on judiciary.

Mr. Abney moved the house go into committee of the whole for the consideration of house bill No. 11, a bill for "an act to protect settlers upon public lands." Carried.

Mr. Herrick was called to the chair.

After sometime spent in consideration of the bill, the committee arose and through their chairman reported as follows:

Mr. Speaker;

The committee of the whole have had house bill No. 11 under consideration and have adopted the following amendments:

In section 1, by striking out the words "of the age of eighteen years," in the first line.

In section 5, by striking out the words in the third and fourth lines, from "accurately to deeds" inclusive, and inserting instead the following, "shall be filed with the county surveyor, whose duty it shall be to keep a fair and correct record of all surveys made by him or his deputy, in a book to be provided by the county commissioners for that purpose, which he shall transmit to his successors in office.

"He shall also number such surveys progressively, and shall preserve a copy of the field notes and calculations of each survey, endorsing thereon its proper number; a copy of which and also a fair and accurate plat together with a certificate of survey, shall be furnished by said surveyor to any person requiring the same."

In section 11, by striking out the words, "and the regulations contained herein are intended to be retrospective," and report the same back to the house and recommend its passage as amended.

WM. HERRICK,

Chairman of Committee.

On motion the report was adopted, and the bill ordered to be engrossed for a third reading to-morrow.

House bill No. 21, a bill for "an act regulating the fees of county officers" was taken up.

Mr. Strong moved the house resolve itself into committee of the whole for the consideration of the bill. Carried.

Mr. Strong was called to the chair.

After some time spent in consideration of the bill, the committee arose, and through their chairman reported as follows:

Mr. Speaker:

The committee of the whole have had house bill No. 21 under consideration, and find it is necessary to have the bill printed before further action can be taken on it.

J. C. STRONG,

Chairman of Committee.

Report adopted, and bill referred to committee on printing.
On motion of Mr. Strong the house adjourned at 4 p. m.

L. L. BEDELL,
Chief Clerk of the House.

THIRTY-FIRST DAY.

HOUSE OF REPRESENTATIVES, }
November 16th, 1869. }

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the chaplain.

Absent at roll call—Mr. Wilson.

Journal read and approved.

Mr. Sheeks presented a petition signed by John McGlinchy and sixty-seven other citizens of Carter county, praying for the removal of Judge Kingman from the third judicial district of this territory, which was read and referred to the committee on judiciary.

Mr. Sheeks presented the following report:

Mr. Speaker:

Your committee on judiciary, to whom was referred council bill No. 19, a bill for "an act concerning chattel mortgages," have had the same under consideration, and report it back to the house, and recommend its passage without amendment.

BEN. SHEEKS,
Chairman of Committee.

On motion of Mr. Miller the report was adopted.

Mr. Sebree presented the following report:

Mr. Speaker:

Your special committee to whom was referred house bill No. 24, a bill for "an act to provide for homesteads in Wyoming territory," have had the same under consideration, and report it back to the house with the following amendments. That the word "two" wherever it occurs in the bill before the word "thousand" be stricken out, and the word "one" be inserted instead, and the passage of the bill as so amended is respectfully recommended.

HOWARD SEBREE,
Chairman of Committee.

On motion of Mr. Abney the report with the amendments was adopted.

Mr. Wilson presented the following report :

Mr. Speaker :

Your committee on public printing have examined the printed copies of house bill No. 11, and report the same to the house correctly printed.

P. S. WILSON,

Chairman of Committee.

Mr. Miller presented the following report :

Mr. Speaker :

Your committee on territorial affairs to whom was referred house bill No. 18, a bill for "an act for the protection of railroad employes injured in the discharge of their duties," have amended the same by striking out the words "or injured" where they occur in the 4th and 17th lines, and recommend the adoption of the amendment, and the passage of the bill as so amended.

LOUIS MILLER,

Chairman of Committee.

On motion of Mr. Herrick the report with the amendments was adopted.

Mr. Haas presented the following report :

Mr. Speaker :

Your committee on engrossed and enrolled bills, have examined house bill No. 2, a bill for "an act for the protection of game and fish," and report it back to the house correctly engrossed.

HERMAN HAAS,

Chairman of Committee.

Mr. Herrick introduced the following resolution :

Resolved, That the editor of the Cheyenne *Argus* be requested to furnish each member of this house with five copies of the Cheyenne *Argus*, daily, during the session. Lost.

Mr. Sebree gave notice that he would on Monday next or some subsequent day, introduce a bill for a stay law for Wyoming territory.

Council bill No. 19, a bill for "an act concerning chattel mortgages" was taken up and read a third time and put upon its passage, the question being, shall this bill pass?

Yeas—Messrs. Douglass, Haas, Menefee, Sheeks, Sebree, Strong and Mr. Speaker—7.

Nays—Messrs. Abney, Herrick and Miller—3.

Bill passed, title agreed to.

House bill No. 2, a bill for "an act for the protection of game and fish" was taken up and read a third time. A vote was taken on the passage of the bill.

Yeas—Messrs. Herrick, Miller, Menefee, Sebree, Strong, Wilson and Mr. Speaker—7.

Nays—Messrs. Abney, Douglass, Haas and Sheeks—4.

Bill passed, title agreed to.

House bill No. 24, a bill for "an act providing for homesteads in Wyoming territory," was taken up and read a third time.

A vote was taken on the passage of the bills.

Yeas—Messrs. Abney, Douglass, Haas, Menefee, Sebree, Strong and Mr. Speaker.

Nays—Messrs. Herrick, Miller, Sheeks and Wilson.

Bill passed, title agreed to.

House bill No. 18, "a bill for the protection of railroad employees injured while in the discharge of their duty," was taken up for a final consideration and passed.

Title agreed to.

Ayes—Messrs. Abney, Douglass, Herrick, Haas, Miller, Menefee, Sebree, Wilson and Mr. Speaker—9.

Nays—Messrs. Sheeks and Strong—2.

Mr. Sheeks moved the committee on printing be instructed to inquire into the reason why the copies of the Governor's message and the rules for the government of the House ordered to be printed have not yet been distributed to the House.

Carried.

The Speaker signed the following enrolled council bills in presence of the House :

Council bill No. 6, "an act providing for marks and brands for stock."

Council bill No. 10, "an act legalizing the tax levy for Albany county for the year 1869."

Council bill No. 12, "an act to prevent the firing of woods, marshes and prairies."

The following communication was received :

SHERMAN STATION, November 15, 1869.

HON. S. M. CURRAN,

Speaker of the House of Representatives:

SIR:—Yourself and the honorable body over whom you preside are respectfully invited to pay a visit to my house at this place and partake of a social dinner on the 18th inst., Thanksgiving day.

Yours, &c.,

WM. HERRICK.

On motion of Mr. Douglass the house took a recess till 2 p. m.

AFTERNOON SESSION.

House met at 2 p. m.

Speaker in the chair.

Absent at roll call—Messrs. Seabee, Sheeks and Wilson.

Mr. Strong moved the Sergeant-at-arms be dispatched for absentees. Carried.

Mr. Abney moved that all further proceedings under call of the House be dispensed with. Carried.

Mr. Wilson presented the following report :

Mr. Speaker :

The committee on Printing have examined the printed copies of house bill No. 20, and report them to the House correctly printed.

P. S. WILSON,

Chairman of Committee.

On motion of Mr. Strong the House resolved itself into committee of the whole for the consideration of house bill No. 20, a bill for an act providing for the location of the Territorial penitentiary, and for the appointment of officers and defining their duties.

Mr. Miller was called to the chair.

After some time spent in consideration of the bill the committee arose and through their chairman reported as follows :

Mr. Speaker :

The committee of the whole have had house bill No. 20 under consideration, and they report progress and ask leave to sit again some future day.

LOUIS MILLER,

Chairman of Committee.

On motion the report was adopted.

Mr. Wilson moved the bill be made a special order for 7 p. m. to-morrow. Lost.

Mr. Miller moved it be made a special order for 2 p. m. to-morrow. Lost.

Mr. Sheeks moved to take a recess. Lost.

Mr. Strong moved to make the bill a special order for to-morrow at 10½ a. m. Lost.

Mr. Sheeks moved to take a recess. Lost.

Mr. Strong moved the consideration of the bill be postponed indefinitely. Lost.

Mr. Strong moved the bill be laid on the table. Lost.

Mr. Herrick moved the bill be made a special order for Friday at 3 p. m. Carried.

Mr. Strong moved the House take a recess till 7 p. m. Carried.

And the House took a recess at 3:10 p. m. till 7 p. m.

House met at 7 p. m.

Speaker in the chair.

Absent at roll call—Messrs. Menefee and Wilson.

Mr. Strong moved that all further proceedings under call of the House be dispensed with. Carried.

On motion of Mr. Strong the House resolved itself into a committee of the whole, for the consideration of house bill No. 14, a bill for "an act providing for holding elections in Wyoming Territory, and creating and filling county offices."

Mr. Strong was called to the chair.

After some time spent in consideration of the bill the committee arose and through their chairman reported as follows:

Mr. Speaker:

The committee of the whole have had house bill No. 14 under consideration, and report that they have amended the bill, and recommend its passage as amended.

J. C. STRONG,

Chairman of Committee.

On motion of Mr. Sebree the report was adopted.

Mr. Strong moved the bill be engrossed. Carried.

Mr. Sheeks moved to adjourn. Carried.

The House adjourned at 10 p. m.

L. L. BEDELL,

Chief Clerk of the House.

THIRTY-SECOND DAY.

HOUSE OF REPRESENTATIVES, }
November 17th, 1869. }

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the chaplain.

Absent at roll call, Messrs Abney, Strong and Wilson.

On motion of Mr. Herrick absentees were sent for.

On motion of Mr. Sebree all further proceedings under the call of the House were dispensed with.

Journal read, corrected and approved.

Mr. Miller gave notice that he would on Monday or some subsequent day, introduce a bill for "an act to regulate the distribution of the Laws and Journals, of the Legislature of Wyoming Territory," when printed.

On motion of Mr. Douglass, house bill No. 8, a bill for "an act to encourage the growth of trees," was taken up and read for information.

On motion of Mr. Douglass the consideration of the bill was postponed until the afternoon.

Mr. Wilson introduced house bill No. 26, a bill for "an act to establish a School Law for the Territory of Wyoming."

Read first time.

During the reading of the bill, the following motions were made.

On motion of Mr. Abney, a call of the House was had and absent members sent for.

On motion of Mr. Sebrree further proceedings under call of the House, were dispensed with.

Reading of the bill continued.

Mr. Douglass moved that absentees be sent for. Lost.

Mr. Strong moved to lay the bill on the table. Lost.

On motion of Mr. Miller a call of the House was had, and absent members sent for.

On motion of Mr. Wilson further proceedings under call of the House were dispensed with.

Reading of the bill continued.

Mr. Sheeks moved the rules be suspended, and the bill read twice by title and referred. Lost.

The bill was read at length.

On motion of Mr. Douglass the bill was read a second time by title and referred to the committee on Education, with instructions to insert a clause providing for the education of colored children.

Mr. Strong moved a reconsideration of the action of the House on the last motion. Lost.

Mr. Strong moved the House take a recess till 2½ o'clock p. m. Lost.

Mr. Sebrree moved to take a recess till 2 P. M. Carried.

AFTERNOON SESSION.

House met at 2 p. m.

Speaker in the chair.

Absent at roll call—Mr Abney.

On motion of Mr. Strong the absent member was sent for.

The following message was received.

COUNCIL CHAMBER, CHEYENNE, W. T. }
November, 16th, 1869. }

HON. S. M. CURRAN,

Speaker of the House of Representatives:

SIR—I am instructed by the Council to transmit to your Honorable Body the following bills passed by the Council:

Council Bill No. 30, a bill for "an act to protect persons traveling by railroad in Wyoming Territory."

Council Bill No. 34, a bill for "an act to legalize the acts of Leavitt C. Barry in taking acknowledgements as Deputy Notary Public, and Deputy Recorder."

Council Bill No. 35, a bill for "an act to legalize the acts of A. G. Turner and his deputies, as Register of Deeds for Carter county."

Council Bill No. 36, a bill for "an act legalizing the organization of the board of county commissioners, for Carter county."

Council Bill No. 37, a bill for "an act legalizing the certain records in Shoshone and California Mining Districts in Carter county, and for other purposes."

Council Bill No. 38, a bill for "an act legalizing the assessment, equalization and other irregularities in levying taxes in Carter county for the year 1869."

Council Bill No. 40, a bill for "an act to protect the property of Telegraph companies."

House Bill No. 12, a bill for "an act regulating the interest on money, in the Territory of Wyoming."

House Bill No. 23, a bill for "an act relating to divorces and alimony," which was amended, and the amendments are herewith transmitted.

Council memorial No. 4, a memorial to the Hon. W. W. Belknap, Secretary of war, praying for the removal of the Headquarters of this Military District from Omaha, to some suitable place in this Territory, all of which are herewith transmitted.

EDWARD ORPEN,

Secretary of the Council.

Council Bill No. 30, a bill for "an act to protect persons traveling by railroad in this Territory," was taken up and read first time.

Mr. Miller moved the bill be laid on the table. Lost.

Mr. Strong moved the rules be suspended, and the bill read a second time, by its title and referred. Carried.

And the bill was referred to the committee on military affairs.

Council Bill No. 34, a bill for "an act to legalize the acts of Leavitt C. Barry in taking acknowledgments as Deputy Notary Public and Deputy Recorder," was taken up and read for the first time.

On motion of Mr. Miller the rules were suspended and the bill read a second and third time by its title, and put upon its passage.

The question being, shall this bill pass?

Ayes—Messrs. Abney, Douglass, Haas, Miller, Menefee, Sheeks, Seabee, Strong, Wilson and Mr. Speaker.—19.

Nays—Mr. Herrick—1

Bill passed, title agreed to.

Council Bill No. 35, a bill for "an act to legalize the acts of A. G. Turner and his Deputies as Register of Deeds for Carter county," was taken up and read first time.

On motion of Mr. Sheeks the rules were suspended, and the bill read a second time by its title, and referred to a special committee.

The speaker appointed Messrs. Sheeks, Menefee and Strong, such committee.

Council Bill No. 36, a bill for "an act legalizing the organization of the board of county commissioners for Carter county," was taken up and read first time.

On motion of Mr. Sheeks the rules were suspended and the bill read a second time by its title, and referred to the committee on Judiciary.

Council Bill No. 37, a bill for "an act legalizing certain records in Shoshone, and California mining Districts in Carter county and for other purposes," was taken up and read first time.

On motion of Mr. Sheeks the rules were suspended, and the bill read a second time by its title, and referred to a special committee.

The speaker appointed Messrs. Strong, Menefee and Sheeks such committee.

Council Bill No. 38 a bill for "an act legalizing the assessment, equalization and other irregularities in levying the taxes of Carter county for the year 1869," was taken up and read first time.

Mr. Miller moved the rules be suspended and the bill read a second and third time by its title and put upon its passage. Lost.

On motion of Mr. Strong the rules were suspended and the bill read a second time by its title and referred to a special committee.

The speaker appointed Messrs. Strong, Sheeks and Menefee such committee.

Council Bill No. 40, a bill for 'an act to protect the property of Telegraph companies' was taken up. Read first time.

On motion of Mr. Sheeks the rules were suspended and the bill read a second time by its title, and referred to the judiciary committee.

House Bill No. 12, a bill for "an act to regulate the interest on money in the territory of Wyoming," was taken up, and the following amendments adopted by the council were taken up for consideration:

That section 6 be amended by inserting the words "and date" after the word "sign" in the last line but one of the section.

On motion of Mr. Strong the amendment was concurred in.

That the title be amended so as to read "a bill for an act regulating the interest on money, and other evidences of indebtedness.

On motion of Mr. Sheeks the amendment was concurred in.

The bill was ordered to be enrolled,

House Bill No. 23, a bill for "an act relating to divorces and alimony," returned from the council with amendments was taken up and the amendments considered.

On motion of Mr. Miller the amendment to the first section to strike out the word "Asiatic," and insert instead the word "Mongolian" was concurred in.

On motion of Mr. Sheeks the amendment to the third section to strike out the words "or sentence" and the same words in the fourth section was concurred in.

On motion of Mr. Douglas the amendment to the fourth subdivision of the fifth section to strike out the word "one" and insert instead the word "three" was not concurred in.

On motion of Mr. Wilson, the amendment to the fifth subdivision of the fifth section, to strike out the words "habitual drunkard" was not concurred in.

On motion of Mr. Herrick, the amendment to the fifth section to strike out the seventh sub-division was not concurred in.

On motion of Mr. Herrick, the amendment to section 6, to strike out the word "six months" and insert instead the words "two years" was not concurred in.

On motion of Mr. Sheeks, the amendment to section 13, line 1, to strike out the words "sentence of" was concurred in.

On motion of Mr. Miller, the amendment to section 18 to strike out the words "misconduct or drunkenness of the husband" was not concurred in.

On motion of Mr. Sheeks, the amendment to section 24, line 8, to strike out the words "or sentence" was concurred in.

The same amendment to section 26, was adopted.

On motion of Mr. Sheeks, the amendment to section 31, to strike out the word "property" and insert the word "party" was concurred in.

On motion of Mr. Strong, the amendment to strike out the whole of section 36, was not concurred in.

A message was sent to the council, informing them of the action of the house in relation to the amendments.

Council memorial, and joint resolution No. 4, praying for the removal of the head quarters of this military district, from Omaha to some suitable point in this territory, was taken up and read first time.

Mr. Miller moved the rules be suspended, and the memorial read a second time by its title, and read a third time and put upon its passage. Carried.

Mr. Miller moved the previous vote be considered. Carried.

Mr. Strong moved the memorial be read a second time by title, and referred. Carried.

And the bill was referred to the committee on Federal relations.

House Bill No. 8, a bill for "an act to encourage the growth of trees," was taken up and read for information.

Mr. Seebree moved the original bill be taken up for consideration. Lost.

Mr. Strong moved to lay the bill on the table. Lost.

M. Strong moved to adjourn. Lost.

Mr. Abney moved to put the bill upon its passage. Lost

Mr. Sheeks moved to adjourn till Friday next at 3. p. m. Lost.

Mr. Abney moved to amend the bill by inserting the words "or five hundred shade or forest trees, pine excepted" after the last word in the last line of Section 1. Lost.

Mr. Sheeks moved to amend by inserting the word "cottonwood." Lost.

Mr. Strong moved to insert the words, "quaking asp." Lost.

Mr. Seebree moved to refer the bill to a special committee. Carried.

Messrs. Seebree, Strong and Douglass, were appointed such committee.

Mr. Miller moved that the use of the Hall of the House of Representatives be allowed to the Sergeant-at-arms for this evening. Carried.

Mr. Strong moved to adjourn till Friday at 3 p. m. Carried.

House adjourned at 4 p. m. till Friday next at 3 p. m.

THIRTY-THIRD DAY.

HOUSE OF REPRESENTATIVES, }
November 19th, 1869.

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the chaplain.

Absent at roll call—Mr. Menefee.

Journal read and approved.

On motion of Mr. Strong the House resolved itself into committee of the whole, for the consideration of House Bill No. 20, a bill for "an act to locate the Penitentiary of the Territory of Wyoming, and providing for the appointment of officers and defining their duties."

Mr Strong was called to the chair.

After some time spent in consideration of the bill, the committee arose and through their chairman reported as follows:

Mr. Speaker:

The committee of the whole have had House Bill No. 20, under consideration, and report progress, and ask leave to sit another day.

J. C. STRONG,

Chairman of Committee.

Report adopted:

Mr. Miller presented the following report.

Mr. Speaker:

Your committee on Territorial Affairs to whom was referred Council memorial No. 4, would respectfully recommend its passage.

LOUIS MILLER,

Chairman of Committee.

On motion of Mr. Strong the report was returned to the committee with instructions to insert the title of the memorial in the same.

Mr. Strong gave notice that he would on Wednesday next, or soon thereafter, introduce a bill for "an act to organize and discipline the militia" of the territory of Wyoming.

Mr. Wilson introduced House Bill No. 27, a bill for "an act to exempt a certain amount of wealth," for certain persons.

Read first time.

Mr. Herrick moved the bill be read a second and third time by title, and laid upon the table.

Mr. Abney moved an amendment to the last motion, that the bill be read a second and third time by title, and put upon its passage.

Amendment put and carried.

Bill read second and third time by title.

Mr. Strong moved a reconsideration of the last vote. Carried.

Mr. Sebree moved that the bill be referred to the proper committee. Carried.

The bill was referred to committee on Judiciary.

The following message was received.

COUNCIL CHAMBER, CHEYENNE, W. T., }
November 18th, 1869.

To the Hon. Speaker of the House of Representatives:

SIR—I am instructed to inform the House that the Council has passed the following bills:

Council Bill No. 39, "an act regulating the sale of poisons in Wyoming Territory," a substitute for House Bill No. 5.

Council Bill No. 41. "an act to secure the free passage of logs and lumber down the several rivers and creeks of the territory."

Council Bill No. 42, a bill for "an act for the protection of the owners of saw logs in Wyoming territory."

House Bill No. 22, "an act to repeal an act incorporating the city of Laramie." And also that the council will not concur in the passage of house bill No. 16," which is herewith transmitted together with the report of the special committee, to whom was referred said bill.

House Bill No. 5 is also returned, council bill No. 39 being substituted therefor.

Respectfully,

EDWARD ORPEN,

Secretary of the Council.

The Speaker called Mr. Douglas to the chair.

Mr Curran moved that house bill No. 16 with the report accompanying it, received from the council, be returned to that body with a message informing them that this house refuses to receive a report of a committee of the council, in relation to a bill for action thereon.

Mr. Strong moved that a committee of three be appointed to confer with a similar committee from the council, in relation to the action of that body on the bill referred to, and to arrange for a concert of action in relation to other matters.

Motion put and lost.

Original motion put and carried.

Council Bill No. 39, a substitute for house bill No. 5, a bill for "an act to regulate the sale of poisons in the territory," was taken up.

Mr. Herriek moved the bill be rejected without reading. Lost.

Mr. Strong moved the original house bill, and the council substitute be read.

Both bills were read.

On motion of Mr. Strong the substitute was read a second time by title, and referred to a special committee, of whom Mr. Douglas was chairman.

Speaker appointed Messrs. Strong and Herriek the other members of the committee.

Council Bill No. 41, a bill for "an act to secure a free passage of logs and lumber down the several rivers and creeks of this territory."

Read first time.

On motion of Mr. Strong the bill was laid on the table.

Council Bill No. 42, a bill for "an act for the protection of owners of saw logs in this territory."

Read first time.

On motion of Mr. Strong the rules were suspended, and the bill read a second time by title, and referred to committee on territorial affairs.

Mr. Herrick moved to take a recess till 7.30 p. m. Lost.

Mr. Abney moved to take a recess till 7. p. m. Lost.

House bill No. 22, "an act to repeal the charter of the city of Laramie," was referred to committee of Enrolled Bills, for Enrollment.

Mr. Miller presented the following report:

Mr. Speaker:

Your committee on Territorial Affairs, to whom was referred Council memorial No. 4, a memorial to the Hon. W. W. Belknap Secretary of War, praying for the removal of the Headquarters of this military district from Omaha to some point in this territory, have had the same under consideration, and report it back to the House recommending its passage.

LOUIS MILLER,

Chairman of Committee.

On motion of Mr. Strong the report was adopted.

On motion of Mr. Miller the House adjourned at 4.40 p. m.

L. L. BEDELL,

Chief Clerk of the House.

THIRTY-FOURTH DAY.

HOUSE OF REPRESENTATIVES,
November 20th, 1869.

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the chaplain.

Roll called, and all the members present.

Journal read and approved.

Mr. Miller presented the following report:

Mr. Speaker:

Your committee on territorial affairs, to whom was referred Council Bill No. 42, a bill for "an act for the protection of owners of saw logs in this territory," have had the same under consideration, and report it back to the House recommending its passage.

LOUIS MILLER.

Chairman of Committee.

On motion of Mr. Douglass the report was adopted.

Mr. Wilson presented the following report:

Mr. Speaker :

Your committee on education, to whom was referred House Bill No. 26, a bill for "an act to establish a school law for the territory of Wyoming," have had the same under consideration, and report it back to the House recommending its passage.

P. S. WILSON,

Chairman of Committee.

On motion of Mr. Strong the report was adopted, and the bill made a special order for Thursday next.

Mr. Haas presented the following report:

Mr. Speaker :

Your committee on engrossed bills have examined House Bill No. 11, and report the same correctly engrossed.

HERMAN HAAS,

Chairman of Committee.

On motion of Mr. Strong council memorial No. 4, was recommit-
ed to the committee on territorial affairs, to have a title endorsed
thereon.

Mr. Haas presented the following report:

Mr. Speaker :

Your committee on enrolled bills, have examined House Bills
Nos. 12 and 22, and report them to the House correctly enrolled.

H. HAAS,

Chairman of Committee.

Mr. Strong presented the following report:

Mr. Speaker :

Your special committee to whom was referred Council Bill
No. 37, a bill for "an act legalizing certain records in Shoshone
and California mining Districts in Carter county, and for other
purposes." Also Council Bill No. 38, entitled, a bill for "an act
legalizing the assessment, equalization and other irregularities in
levying the taxes of Carter county, for the year 1869," have
had the same under consideration, and report them back, and
recommend their passage.

J. C. STRONG,

Chairman of Committee.

On motion of Mr. Miller the report was adopted.

On motion of Mr. Miller, House Bill No. 20, a bill for "an
act to locate the penitentiary of the territory," was made a special
order for Monday next at 3.30 p. m.

Council Bill No. 42, a bill for "an act to protect the owners of saw logs in this territory," was taken up and read a third time for information.

Mr. Sheeks moved the bill be laid on the table. Lost.

The bill was put upon its passage.

A vote was taken on the passage of the bill.

Ayes—Messrs. Abney, Douglass, Herrick, Menefee and Miller—5.

Nays—Messrs. Haas, Sheeks, Sebree, Strong, Wilson and Mr. Speaker.—6.

Bill did not pass.

On motion of Mr. Douglass the rules were suspended to allow Mr. Miller to present the following report.

Mr. Speaker:

Your committee on territorial affairs to whom was recommitted council memorial No. 4, report the same back to the House, and recommend its passage.

LOUIS MILLER,

Chairman of Committee.

On motion of Mr. Douglass, report adopted.

Council Bill No. 37, a bill for "an act legalizing certain records in Shoshone and California mining Districts," was taken up.

On motion of Mr. Miller the rules were suspended, and the bill read a third time by its title, and put upon its passage.

A vote was taken on the passage of the bill.

Ayes.—Messrs. Abney, Herrick, Douglass, Haas, Menefee, Miller, Sheeks, Sebree, Strong, Wilson and Mr. Speaker.—11
Nays.—None.

Bill passed title agreed to.

Council Bill No. 38, a bill for "an act to legalize the assessment, equalization and other irregularities in levying tax in Carter county, for 1869," was taken up.

On motion of Mr. Sheeks the bill was read a third time by title, and put upon its passage.

A vote was taken on the passage of the bill.

Ayes.—Messrs. Abney, Douglass, Herrick, Haas, Miller, Menefee, Sheeks, Sebree, Strong, Wilson and Mr. Speaker.—11.

Nays.—None.

Bill passed and title agreed to.

Council memorial No. 4, to the Secretary of War praying for the removal of the Headquarters of this military district from Omaha, to some suitable place in this Territory, was taken up and read for information.

On motion of Mr. Strong the word "large" was stricken out where it occurred before the words "City of Omaha."

On motion of Mr. Sheeks the words "savage foe" were stricken out, and the word "savages" inserted instead.

Mr. Sebree moved to lay the memorial on the table. Lost.

On motion of Mr. Strong the memorial was read by title and put upon its passage. The question being, shall this bill pass?

Ayes—Messrs. Douglass, Haas, Miller, Menefee, Wilson and Mr. Speaker—6.

Nays—Messrs. Abney, Herrick, Sheeks, Sebree and Strong. Memorial passed, title agreed to.

On motion of Mr. Strong the rules were suspended and the house took up council bill No. 41, a bill for "an act to secure a free passage of logs and lumber down the rivers and creeks of this territory," which was read second time.

On motion the bill was read a third time and passed, title agreed to.

Ayes—Messrs. Abney, Haas, Menefee, Sheeks, Sebree, Wilson and Mr. Speaker—7.

Nays—Messrs. Douglass, Miller, Herrick and Strong—4.

House bill No. 11, a bill for "an act to protect settlers upon the public lands, and to define the rights of occupying claimants," was taken up and read for information.

Mr. Sheeks moved the fifth section be amended by striking out the words "Register of Deeds," and the words "County Surveyor" be inserted instead.

Mr. Abney moved an amendment to the amendment to insert the words, "or County Surveyor" after the words "Register of Deeds."

Amendment to amendment put and lost.

Original motion put and carried.

Mr. Herrick moved to amend the bill by inserting a section to the effect that "no provisions of this act shall conflict with the laws of congress, granting pre-emption rights to settlers." Lost.

On motion of Mr. Miller the bill was read a third time by title and put upon its passage.

A vote was taken on the passage of the bill.

Ayes—Messrs. Abney, Douglass, Haas, Miller, Menefee, Sheeks, Sebree, Wilson and Mr. Speaker—9.

Nays—Mr. Herrick—1.

Bill passed, title agreed to.

Mr. Sheeks moved the rules be suspended in order to take up the following message from the council: Carried.

The Speaker called Mr. Douglas to the chair.

COUNCIL CHAMBER, CHEYENNE, W. T. }
November, 19th, 1869. }

HON. S. M. CURRAN,

Speaker of the House of Representatives :

SIR—I have the honor to transmit herewith to your honorable body, the enclosed joint resolution passed this day by the council.

Yours Respectfully,

EDWARD ORPEN,

Per PARRISH,

Secretary of the Council.

Assistant Secretary.

The following resolution was taken up:

Be it Resolved, By the council and house of representatives of the territory of Wyoming, that the present session of the legislative assembly be, and it is hereby extended to sixty days from the twelfth day of October, one thousand eight hundred and sixty nine.

Mr. Curran moved it be read three times at length. Carried.

On motion of Mr. Curran, the resolution was put upon its passage and passed.

Ayes—Messrs. Abney, Douglas, Herrick, Haas, Miller, Menefee, Sheeks, Wilson and Mr. Curran—10.

Nays—None.

Mr. Herrick moved to amend the title so as to read “a joint resolution relative to the extension of the present session of the legislature.” Carried.

On motion of Mr. Curran, the title as amended was agreed to.

Mr. Curran gave notice that he would on Monday or Tuesday next, move a reconsideration of council bill No. 41, a bill for “an act to secure a free passage of logs and lumber down the various rivers and creeks of this territory.”

Mr. Sheeks moved that the council joint resolution relative to the extension of the session of the present legislature, be immediately returned to the Council. Carried.

Mr. Miller moved to adjourn till 2 o'clock, on Monday next. Lost.

Mr. Herrick moved to adjourn. Lost.

Mr. Miller asked to be excused till Monday next at 3 p. m. Granted.

Mr. Strong asked permission to be absent till Wednesday or Thursday.

Permission granted by consent of the House.

Mr. Miller moved to adjourn. Carried.

House adjourned at 12 o'clock m.

L. L. BEDELL,

Chief Clerk of the House.

THIRTY-FIFTH DAY.

HOUSE OF REPRESENTATIVES, }
November 22d, 1869. }

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the chaplain.

Absent at roll call, Messrs, Abney, Haas, Miller, Strong, and Wilson.

Messrs. Miller, and Strong, were excused.

On motion of Mr. Menefee, absentees were sent for.

On motion of Mr. Menefee all further proceedings under call of the House were dispensed with.

Journal read and approved.

On motion of Mr. Douglass the credentials of Mr. Holbrook, member elect from Carter county who was present, was referred to a special committee.

The Speaker appointed Messrs. Douglass, Herrick and Abney, such committee.

Mr. Sheeks presented the following report.

Mr. Speaker:

Your committee on Judiciary to whom was referred Council Bill No. 22, a bill for "an act fixing the terms of the Supreme Court of the Territory of Wyoming, and defining its duties," have had the same under consideration, and report it back to the House with amendment, and recommend its passage as amended.

That Section 1. be amended by striking out the word "January" in third line and inserting instead the word "May."

BEN. SHEEKS,

Chairman of Committee.

On motion of Mr. Douglass the report with the amendment was adopted.

A message was received from the governor.

Mr. Sheeks presented the following report:

Mr. Speaker:

Your committee on Judiciary to whom was referred Council Bill No. 25, a bill for "an act to establish a code of Criminal Procedure for the Territory of Wyoming," have had the same under consideration, and report it back to the House with the following amendments, and recommend its passage as so amended.

BEN SHEEKS,

Chairman of Committee.

The following amendments to the bill were taken up for consideration.

Section 30, amended by striking out in the 16th line the word "four" and inserting instead the word "eight," also in the same line the words "unless such adjournment be had on the application of the defendant," after the word "days."

On motion of Mr. Menefee the amendment was adopted.

Section 31, strike out the words "constitution and" and the words "the United States and."

On motion of Mr. Douglass the amendment was adopted.

Section 37, insert in the 8th line after the word "necessary," the words "and such witnesses on the part of the defence as the defendant may request."

On motion of Mr. Menefee the amendment was adopted.

Section 55, after the word "appear" in the 7th line insert the words "or to the sheriff."

On motion of Mr. Menefee the amendment was adopted.

Section 100, after the word "demurred" add the words "a plea to the jurisdiction of the court."

On motion of Mr. Sebree amendment adopted.

Section 113, after the word "indictment" in 3d line, insert the words "and in the proper docket," and the same amendment in 3d line of Section 114.

On motion of Mr. Herrick amendment adopted.

Section 115, to be amended by adding after the last word of the section, the words "provided that if the objection be made to the Judge only, the court may for the convenience of parties, request the judge of another district to try such cause in the county in which such action may be pending."

On motion of Mr. Abney the amendment was adopted.

Section 122, in line 9 after the word "triers" insert the words "with the qualifications of jurors."

On motion of Mr. Menefee amendment adopted.

Section 123, after the word "accused" in 7th line insert the words "or is biased or prejudiced for or against the accused."

On motion of Mr. Douglass amendment adopted.

Section 128, be stricken out and the following inserted instead:

"The defendant in all criminal cases shall be permitted if he so desire, to make a statement to the jury at the close of the evidence for the defense."

On motion of Mr. Douglass, amendment was adopted.

Section 129, strike out the words "deemed a competent witness," in 5th and 6th lines, and insert instead the words "allowed to make his statement."

On motion of Mr. Menefee amendment adopted.

Section 176, in 4th line strike out the words "of pleas."

On motion of Mr. Sebree the amendment was adopted.

Section 163, strike out the word "not" in 2d line.

Section 175, add at the end the words "recording the same."

On motion of Mr. Menefee amendment adopted.

Section 196, strike out the word "not" where repeated.

On motion of Mr. Douglass, adopted.

Section 206, strike out the words "Provided that in any case in which the application is for pardon of any person sentenced to capital punishment, and the time of the execution thereof is less than three weeks" and insert instead words "and in no case where capital punishment is to be inflicted, shall the sentence be executed within less than thirty days from the date of the sentence."

On motion of Mr. Herrick amendment adopted.

On motion of Mr. Abney the rules were suspended in order to take up the following communications from his excellency the governor of the territory.

EXECUTIVE DEPARTMENT, CHEYENNE, W. T., }
November 20th, 1869.

To the House of Representatives, W. T.,

I desire respectfully to call the attention of the House of Representatives to the fact that the following estimate have been made of the expenses of taking the census, and conducting the election in this Territory for delegate to Congress, and members of the first Legislative assembly.

For taking the census,	\$1,500.
For conducting the election,	\$2,500.

The United States Marshal has given vouchers to those employed in taking the census, and the Secretary of the Territory has given vouchers to those employed in conducting the election.

Those vouchers simply state the amount of service rendered by the parties to whom they are given, and the amount due at a reasonable computation for such service.

As this expense was incurred for the benefit of the Territory, it is, in my opinion a legitimate charge against the territorial treasury, and I would respectfully suggest that an appropriation be made to meet it.

J. A. CAMPBELL,

EXECUTIVE DEPARTMENT, CHEYENNE, W. T., }
November 5th, 1869.

To the House of Representatives, W. T.,

I desire respectfully to submit to your honorable body for such action as your wisdom may suggest, a copy of a letter from the principal of the Nebraska Institute for the deaf and dumb, proposing measures for the maintenance and education of such deaf and dumb persons as are, or may become citizens of Wyoming. The project is one which will, I hope receive your careful consideration. In this connection I would also, respectfully call your attention to the cases of other classes of individuals who by the inscrutable providence of God, have been deprived of the ability to procure their maintenance or receive their education by

ordinary means, and would earnestly recommend that suitable provision be made by law for educating and supporting all these wards of our Territory.

J. A. CAMPBELL.

NEBRASKA INSTITUTE FOR THE DEAF AND DUMB, }
OMAHA, Neb, October 20th, 1869.

HIS EXCELLENCY, GOVERNOR CAMPBELL,

Cheyenne Wyoming.

DEAR SIR.—As governor of Wyoming will you submit a proposition to your Legislature now in session, to provide means for the support and education of any deaf and dumb persons in Wyoming Territory. It is an appropriation of several hundred dollars to be used in sending such persons to an institution where they can be educated and for their maintenance there. There may be such persons in your midst, who would like to attend school, but cannot do so for want of means.

Nebraska had such a provision, before this institution was begun. Should you find such persons afflicted by deafness, we would be glad to receive them into our school, if it meets your approval. If no person is found within your borders which this measure could benefit, then it will be a record of the generosity and benevolence of your Legislature and officers. This act will remain in your statute books, and will reflect credit on those who passed it. We are working in the cause of those persons in this State, and have learned of thirty-three, some of whom are at school now, learning what they never knew before.

Hoping this will meet your approval,

I remain yours Respectfully.

W. M. FRENCH, Principal.

Circular of the Nebraska Institute, for the Deaf and Dumb.

OMAHA, NEBRASKA, March 1869.

The above named Institute for the Deaf and Dumb, was organized by the act of the Territorial Legislature, incorporating the same, approved February 7th, 1867.

This Institution commences operation on the 1st day of April 1869.

It is purely educational. The course of study pursued embraces all the English branches, spelling, reading, writing, arithmetic, grammar, and the sciences.

All the pupils living in this State are admitted to all the privileges of the institute free of charge. Those from other States are charged a small compensation for board and tuition. Each pupil should come with sufficient clothing to last one year or money to procure them. He or she, should also have a trunk large enough to contain all of her or his clothing, each article of

which should be distinctly marked with his or her name. All application from a distance, letters of enquiry, etc., should be addressed to W. M. French, Principal, "Institute for the Deaf and Dumb," Omaha, Nebraska.

All letters to the pupils should contain the words "Institute for the Deaf and Dumb," as part of their directions.

By order of the Board of Directors,

H. W. KIMS, Secretary.

The communication in relation to the expenses incurred in taking the census and conducting the election, was referred to the committee on Ways and Means.

The communication in relation to the care and education of deaf and dumb persons, was referred to the committee on education.

Mr. Wilson gave notice that he would on to-morrow or some subsequent day introduce a bill for "an act to provide for the location of the capitol seat of government for the Territory of Wyoming."

Council Bill No. 25, a bill for "an act to establish a code of criminal procedure for the Territory of Wyoming," was taken up.

On motion of Mr. Douglass the rules were suspended, and the bill read a third time by its title, and put upon its passage.

The question being, shall this bill pass?

Ayes.—Messrs. Abney, Douglass, Haas, Menefee, Sheeks, Sebree, Wilson, and Mr. Speaker.—8.

Nays.—Mr. Herrick.—1.

Bill passed, title agreed to.

Council Bill No. 22, a bill for "an act fixing the terms of the Supreme Court of the Territory of Wyoming, and defining its duties," was taken up and read a third time, and put upon its passage.

The question being, shall this bill pass?

Ayes.—Messrs. Abney, Douglass, Haas, Herrick, Menefee, Sheeks, Sebree, Wilson, and Mr. Speaker.—9.

Nays.—None.

Bill passed, title agreed to.

Mr. Herrick introduced the following resolution:

Resolved.—That the Editor of the Wyoming Tribune, be requested to furnish each member of the House of Representatives six copies of each edition of his paper, during the session of the House, to be paid for out of any money in the territorial treasury not otherwise appropriated.

Laid over under the rules.

On motion of Mr. Herrick the House took a recess till 3.30 p. m.

AFTERNOON SESSION.

House met at 3.30 p. m.

Speaker in the chair.

Absent at roll call—Messrs. Abney, Haas, Menefee, Sheeks and Wilson.

On motion of Mr. Douglass, absentees were sent for.

On motion of Mr. Wilson further proceedings under call of the House were dispensed with.

On motion of Mr. Miller, the House resolved itself into committee of the whole, for the consideration of House Bill No. 20, a bill for "an act to locate the Territorial Penitentiary."

Mr. Douglass was called to the chair.

A message was received from the Council.

After some time spent in consideration of House Bill No. 20, the committee of the whole arose, and through their chairman reported as follows:

Mr. Speaker:

The committee of the whole have had House Bill No. 20, a bill for "an act to locate the Territorial Penitentiary," under consideration, and have amended the same by filling up the blanks in the third section of the bill, devoted to the names of the commissioners of the penitentiary, with the names of Lewis Lowrey, L. F. Cornutt, and Wm. Baker, and by striking out the word "three" in the fourth line of section 6, and inserting instead the word "five," also by striking out the word "one" in the eighth line of section 8, and inserting instead the word "two," and by striking the whole of section 9, and we recommend the passage of the bill as amended.

J. N. DOUGLASS,

Chairman of Committee.

On motion of Mr. Abney there was a call of the House, and absent members sent for.

On motion of Mr. Douglass further proceedings under call of the House were dispensed with.

House Bill No. 20, a bill for "an act to locate the Territorial Penitentiary" was taken up for consideration, and the bill read for information.

Mr. Abney, offered the following amendment to the bill to be inserted in the place of Section 9, which was stricken out in committee of the whole. "The Probate Judge of the county, in which the Penitentiary is situated shall keep a correct and separate account of the time each of the commissioners of the Penitentiary shall expend superintending the erecting of the Penitentiary, which accounts properly verified shall be allowed by the auditor out of the contingent fund, and the balance of said if any, shall be paid over to the Treasurer as part of the Territorial fund."

Amendment put and lost.

Mr. Sheeks offered the following amendment as a substitute for section 9.

Said commissioners shall each keep an accurate account of the time he has expended and the distance he has traveled in superintending the erection of the Penitentiary, which account properly sworn to, shall be allowed by the auditor out of the contingent fund."

Amendment put and carried.

The bill was ordered to be engrossed for a third reading on to-morrow.

On motion of Mr. Seabee the House took a recess at 5.40 p. m. till 7 p. m.

House met at 7 p. m.

Absent at roll call—Mr. Wilson.

On motion of Mr. Herrick a writ of arrest was issued against Mr. Wilson.

Mr. Abney moved that further proceedings under call of the House be dispensed with. Lost.

The Sergeant-at-arms appeared with Mr. Wilson, to whom the Speaker administered a reprimand for repeated absences.

On motion of Mr. Seabee further proceedings under call of the House were dispensed with.

The following communication was taken up.

COUNCIL CHAMBER, CHEYENNE, W. T., }
November 22d, 1869.

To the Hon. Speaker of the House of Representatives:

SIR.—I have the honor to transmit to your honorable body, the following bills passed by the Council.

Council Bill No. 23, a bill for "an act to encourage the erection of mill-dams and mills."

Council Bill No. 8, a bill for "an act in relation to changing the names of individuals."

Council Bill No. 49, a bill for "an act to prevent the spread of contagious diseases."

Council Bill No. 28, a bill for "an act reorganizing the counties of the territory, fixing their boundaries and county seats therein."

Council Bill No. 51, a bill for "an act providing for the appointment of commissioners to take depositions in other states and territories."

Council Bill No. 50, a bill for "an act to provide for preserving the evidence of the official acts of officers taking acknowledgements."

Council Bill No. 18, a bill for "an act to develop the mining resources of the Territory of Wyoming."

Also House Bill No. 2, a bill for "an act for the protection of Game and Fish," passed without amendment.

I am also instructed by the Council to inform the House that the Council adheres to the amendments made to House Bill No. 23, relating to divorces, and would request that a committee of conference be appointed by your honorable body, to meet another which will be selected by the Council for joint consideration of the amendments to the bill.

Also House Bill No. 18, a bill for "an act for the protection of railroad employees injured while in discharge of their duties," with the following amendments.

On the first page from the word "any" tenth line from the bottom extending to the word "and" on second page, first line, be stricken out, and in the enacting clause insert "Territory of Wyoming."

EDWARD ORPEN,
Secretary of the Council.

Council Bill No. 18, a bill for "an act to develop the mining resources of the Territory," was taken up.

On motion of Mr. Abney the rules were suspended, and the bill read a first and second time by its title, and referred to the committee on mines and minerals.

Council Bill No. 23, a bill for "an act to encourage the erection of mill-dams and mills," was taken up, and read first time.

On motion of Mr. Sheeks the rules were suspended, and the bill read a second time by its title, and referred to committee on territorial affairs.

Council Bill No. 48, a bill for "an act relating to changing names of individuals," was taken up and read first time.

Mr. Herrick moved to suspend the rules, and read the bill a second and third time by title, and put it on its passage. Lost.

On motion of Mr. Sheeks the bill was read a second time by title, and referred to the committee on judiciary.

Council Bill No. 49, a bill for "an act to prevent the spread of contagious diseases," was taken up and read first time.

Mr. Abney moved to suspend the rules, and the bill be read a second and third time, and put upon its passage. Lost.

On motion of Mr. Miller the rules were suspended, and the bill read a second time by title, and referred to a special committee of whom Mr. Douglass shall be chairman. Speaker appointed Messrs Abney, and Herrick the other members of such committee.

Council Bill No. 50, a bill for "an act to provide for preserving the evidence of the official acts of officers taking acknowledgments," was taking up and read first time.

On motion of Mr. Menefee the rules were suspended, and the bill read a second time by its title, and referred to committee on judiciary.

Mr. Miller moved to adjourn. Lost.

Council Bill No. 51, a bill for "an act to provide for the appointment of commissioners to take depositions in other states and territories," read first time.

On motion of Mr Menefee the rules were suspended, and the bill read a second time by title and referred to judiciary committee.

House Bill No. 2, "an act for the protection of game and fish," was referred to the committee on Enrolled Bills for enrollment.

House Bill No. 18, a bill for "an act for the protection of railroad employes," which was returned from the Council with the following amendments, was taken up for consideration.

Section 1, to be amended by striking out all the words from "any" in the 10th line from bottom of the first page to the word "and" on the 1st line of the second page, and to insert in the enacting clause the words "Territory of Wyoming."

On motion of Mr. Abney the amendments were not concurred in.

The Speaker appointed Messrs Sheeks, Menefee and Douglass, a committee of conference to meet a similar committee of the Council in relation to the amendments to House Bill No. 23, a bill for "an act relating to divorces and alimony."

On motion of Mr. Menefee the House adjourned at 8.20, p. m.

L. L. BEDELL,

Chief Clerk of the House.

TWENTY-SIXTH DAY.

HOUSE OF REPRESENTATIVES, }
November 23d, 1869. }

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the chaplain.

Absent at roll call—Mr. Sheeks.

Journal read and approved.

Mr. Miller presented the following report.

Mr. Speaker:

Your committee on territorial affairs to whom was referred council bill No. 23, a bill for "an act to encourage the erection of mill-dams and mills have had the same under consideration and report it back to the house recommending its passage.

LOUIS MILLER,

Chairman of Committee.

On motion of Mr. Herrick the report was adopted.

Mr. Sheeks presented the following report:

Mr. Speaker :

Your committee on judiciary to whom was referred council bill No. 27, a bill "for an act defining the jurisdiction of justices of the peace in criminal trials and of the proceedings therein," have had the same under consideration and report it back to the house with the following amendments.

BEN SHEEKS,

Chairman of Committee.

That the bill be amended by prefixing the following title:

A bill for "an act defining the jurisdiction of justices of the peace in criminal trials and of the proceedings therein."

On motion of Mr. Miller the amendment was adopted.

Also the following enacting clause.

"Be it enacted by the council and house of representatives of the territory of Wyoming."

On motion of Mr. Seebree adopted.

Section 33, after the word "county" in the third line, insert the word "or to the justice by whom the commitment was made."

On motion of Mr. Douglass adopted.

Section 34, strike out the words "either party" in the first line, and insert the words "the defendant."

On motion of Mr. Douglass adopted.

Also add section 45. "This act to take effect and be in force from and after the first day of January A. D. 1870."

On motion of Mr. Menefee adopted.

Report adopted.

Mr. Douglass made the following report.

Mr. Speaker :

Your special committee to whom was referred council bill No. 49, a bill for "an act to prevent the spread of contagious diseases, have had the same under consideration and report it back to the house earnestly recommending its passage.

J. N. DOUGLASS.

Chairman of Committee.

On motion of Mr. Miller the report was adopted.

Mr. Douglass gave notice that he would on to-morrow or some some subsequent day, introduce a bill for "an act to provide for the payment of the members and clerks of this legislature.

On motion of Mr. Miller the various standing committees of the house were requested to report as speedily as possible on all bills now in their hands

Mr Sheeks introduced house bill No. 28, a bill for "an act to establish a code of civil procedure for the territory of Wyoming."

On motion of Mr. Miller the rules were suspended and the bill read a first, second and third time by title and put upon its passage.

A vote was taken on the passage of the bill.

Ayes—Messrs. Abney, Douglass, Herrick, Haas, Miller, Menefee, Sheeks, Sebree, Wilson and Mr. Speaker. Nays—None.

Bill passed, title agreed to.

Mr. Wilson introduced house bill 29, a bill for “an act to provide for unfortunates.

Read first time.

On motion of Mr. Miller the rules were suspended and the bill read a second time by title, and made a special order for 2 p. m. to-day.

Council Bill No. 28, a bill for “an act to re-organize the counties of the territory of Wyoming, fixing their boundaries and and county seats therein.”

Read for information.

Mr. Douglas objected to the further reading of the bill.

The question being, shall this bill be rejected?

Ayes—Messrs. Abney, Douglass, Herrick, Haas, Menefee, Miller, Sebree, Wilson and Mr. Speaker—9.

Nays—Mr. Sheeks—1.

The bill was rejected.

Council Bill No. 23, a bill for “an act to encourage the erection of mill-dams and mills, was taken up.

On motion of Mr. Herrick the rules were suspended and the bill read a third time and put upon its passage.

A vote was taken on the passage of the bill.

Ayes—Messrs. Abney, Douglass, Herrick, Haas, Miller, Menefee, Sebree and Mr. Speaker—8.

Nays—Messrs. Sheeks and Wilson—2:

Bill passed, title agreed to.

Council Bill No. 27, a bill for “an act defining the jurisdiction of justices of the peace in criminal trials and of the proceedings therein” was taken up.

On motion of Mr. Menefee the rules were suspended, and the bill read by title a third time, and put upon its passage.

A vote was taken on the passage of the bill.

Ayes.—Messrs. Abney, Douglass, Herrick, Haas, Sheeks, Sebree, Wilson, and Mr. Speaker.—8.

Nays.—Messrs. Miller and Menefee.—2.

Bill passed, title agreed to.

Council Bill No. 49, a bill for “an act to prevent the spread of contagious diseases,” was taken up.

On motion of Mr. Menefee the rules were suspended, and the bill read a third time by title, and put upon its passage.

A vote was taken on the passage of the bill.

Ayes.—Messrs. Abney, Douglass, Herrick, Haas, Menefee, Sheeks, Sebree, Wilson, and Mr. Speaker.—9.

Nays.—Mr. Miller.—1.

Bill passed, title agreed to.

On motion of Mr. Miller the House took a recess till 2 p. m.
House met at 2 p. m.

Speaker in the chair.

On motion of Mr. Miller, absent members and the chief clerk were sent for.

Mr. Miller moved that all further proceedings under call of the House be dispensed with. Carried.

On motion of Mr. Miller the House resolved itself into a committee of the whole, for the consideration of House Bill No. 29, a bill for "an act to provide for unfortunates."

Mr. Wilson was called to the chair.

After some time spent in consideration of the bill, the committee arose, and through their chairman reported as follows:

Mr. Speaker :

The committee of the whole have had House Bill No. 29 a bill for "an act to provide for unfortunates," under consideration, and have amended the same by inserting "lunatics" among the enumeration of individuals to whom the provisions of the bill shall apply, and recommend the passage of the bill as so amended.

P. S. WILSON,

Chairman of Committee.

On motion of Mr. Sheeks the report was adopted.

The following resolution which laid over one day, was taken up.

Resolved.—That the editor of the Wyoming Tribune be requested furnish to each member of the House, six copies of each edition of his paper, during the session of the House, to be paid for out of any money in the Territorial Treasury not otherwise appropriated.

Mr. Wilson offered the following amendment:

That the resolution be amended in the last three lines so as to read, to be paid for by the members receiving such papers.

Amendment put and carried.

Mr. Douglass moved the resolution be laid on the table.

Carried.

Mr. Haas presented the following report:

Mr. Speaker :

Your committee on Enrolled Bills have examined House Bill No. 2. "an act for the protection of game and fish," and report it back to the House correctly enrolled.

HERMAN HAAS,

Chairman of Committee.

Mr. Douglass presented the following:

Mr. Speaker:

Your committee to whom was referred the credentials of John Holbrook member elect from Carter County, report that they have examined the same, and recommend that he be admitted to a seat within the bar of this House as a member of this Body.

J. N. DOUGLASS,
Chairman of Committee.

Mr. Wilson moved that all further action on the credentials of Mr. Holbrook be deferred till to-morrow. Lost.

Mr. Wilson moved that the House resolve itself into a committee of the whole for the consideration of the credentials. Carried.

Mr. Wilson was called to the chair.

After some time spent in consideration of the credentials the committee arose, and through their chairman reported as follows:

Mr. Speaker:

The committee of the whole have had the credentials of Mr. Holbrook under consideration, and report that they recommend the adoption of the report of the special committee to whom the matter was referred.

P. S. WILSON,
Chairman of Committee.

Mr. Douglass moved that a committee be appointed to wait on the Hon. Secretary of the Territory, and request his presence in the House to receive the credentials of the Hon. John Holbrook, member from Carter County. Carried.

Mr. Abney moved to adjourn. Lost.

Mr. Douglass moved absentees be sent for. Carried.

Mr. Miller moved that all further proceedings under call of the house be dispensed with. Carried.

Mr. Herrick moved to adjourn. Lost.

Mr. Wilson moved a call of the house. Carried.

On motion of Mr. Wilson all further proceedings under call of the house were dispensed with.

Mr. Wilson moved to adjourn. Lost.

Mr. Abney moved to take a recess till 7 p. m. Lost.

Mr. Sheeks moved a reconsideration of the vote for appointing the committee to wait on the secretary. Lost.

Mr. Abney moved to take a recess. Lost.

Mr. Herrick moved to adjourn. Lost.

The Speaker appointed Messrs. Douglass, Wilson, Menefee and Miller, the special committee to wait on the secretary.

Mr. Miller moved that further proceedings be dispensed with pending the absence of the committee. Carried.

Mr. Sheeks moved to take a recess for ten minutes. Carried.
House met after ten minutes recess.

The committee appointed to wait on the Secretary of the Territory appeared accompanied by the Secretary, who received the credentials of Mr. Holbrook.

Mr. Douglass moved the acting Chief Justice be requested to come within the bar of the House to administer the oath of office to Mr. Holbrook.

The acting Chief Justice appeared and administered the oath of office to Mr. Holbrook, who was thereupon admitted to his seat.

Mr. Haas presented the following report.

Mr. Speaker:

I have the honor to inform the House that I have this day, November 23d, at 3 p. m., presented to his Excellency the Governor of the Territory, the following acts passed by both Houses, for his approval, viz.,

"An act to regulate the interest on money, and other evidences of indebtedness."

"An act to repeal an act incorporating the city of Laramie.

H. HAAS:

Chairman of Committee.

Mr. Menefee moved the adoption of the report. Carried.

The Speaker announced to the House that he had signed "an act for the protection of game and fish."

Mr. Miller moved that the committee on Engrossed and Enrolled bills be required to report on House Bills Nos. 14 and 20, to-morrow morning. Lost.

Mr. Sheeks moved to adjourn. Carried.

House adjourned at 3.45 p. m.

L. L. BEDELL,

Chief Clerk of the House.

THIRTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES, }
November 24th, 1869. }

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the chaplain.

Absent at roll call—Mr. Strong, who was excused.

Journal read, corrected, and approved.

Mr. Sheeks presented the following report:

Mr. Speaker:

Your committee on Judiciary to whom was referred Council Bill No. 51, a bill for "an act providing for the appointment of commissioners to take depositions in other states and territories," have had the same under consideration, and report it back to the House, recommending its passage without amendment.

BEN. SHEEKS,

Chairman of Committee.

On motion of Mr. Sebree the report was adopted.

Mr. Douglass presented the following report:

Mr. Speaker:

Your special committee to whom was referred Council Bill No. 39, a bill for "an act to regulate the sale of Poison in Wyoming Territory," have had the same under consideration, and report it back to the House, earnestly recommending its passage.

J. N. DOUGLASS,

Chairman of Committee.

On motion of Mr. Sheeks report adopted.

Mr. Sheeks presented the following report:

Mr. Speaker:

Your committee of conference who were appointed to confer with a committee from the Council in relation to House Bill No. 23, a bill for "an act relating to divorces and alimony," would report that they have had a conference with the committee from the Council, and would recommend that the House recede from the disagreement to the following amendments.

1st. To strike out the seventh sub-division of section 5.

2nd. To strike out section 36.

And that the House insist upon its disagreement to the remainder.

BEN SHEEKS,

Chairman of Committee.

Report laid over under the rules.

Mr. Menefee presented the following report.

Mr. Speaker:

Your committee on mines and minerals to whom was referred Council Bill No. 18, a bill for "an act to develop the mining resources of the Territory," have had the same under consideration, and report it back to the House with the following amendments, and recommend the adoption of the amendments, and the passage of the bill as so amended.

J. W. MENEFEE,

Chairman of Committee.

The following amendments were taken up for consideration:

Section 1 be amended by striking out the word "discoveries" in sixteenth line, and inserting instead "the discoverers."

On motion of Mr. Herrick amendment adopted.

Section 17, after the word "months" in line eight, insert the word "thereafter."

On motion of Mr. Herrick amendment adopted.

Section 20, strike out the word "twenty" in line three, and insert instead the word "ten."

On motion of Mr. Herrick amendment adopted.

Section 22, strike out the words "as soon and as often as the mail or express facilities of such district will permit," and insert the words "every four months."

On motion of Mr. Herrick amendment adopted.

Section 26, after the word "the" in seventh line, insert the words "register of deeds or."

On motion of Mr. Douglass amendment adopted.

After section 27 insert.

"Section 28. Any person who shall date any notice of claim herein provided for, prior to the time of actual putting up of such notice, shall be guilty of a misdemeanor, and on conviction thereof, shall be fined in any sum not exceeding one hundred dollars, or imprisoned in the county jail any time not exceeding six months, or both fined and imprisoned."

On motion of Mr. Miller amendment adopted.

Report adopted.

Mr. Wilson introduced house bill No. 30, a bill for "an act to locate the capitol seat of government for the territory of Wyoming."

Read first time.

Mr. Herrick moved to suspend the rules, and read the bill by title and refer. Lost.

Mr. Sheeks introduced house bill No. 31, a bill for "an act regulatin proceedings on habeas corpus."

Read first time.

On motion of Mr. Miller the rules were suspended, and the bill read a second and third time by title and put upon its passage.

A vote was taken on the passage of the bill.

Ayes—Messrs. Abney, Douglass, Herrick, Haas, Holbrook, Miller, Menefee, Sheeks, Sebree, Wilson and Mr. Speaker—11.

Nays—None.

Bill passed, title agreed to.

The following communication was received:

COUNCIL CHAMBER, CHEYENNE, W. T. }
November, 23d, 1869. }

HON. S. M. CURRAN,

Speaker of the House of Representatives:

SIR—I am instructed by the Council to inform your honorable body of the passage of the following bills:

Council bill No. 44, a bill for “an act concerning alienation of deeds, of the proof and recording of conveyances, and the cancelling of mortgages.”

Council bill No. 47, a bill for “an act to restrict gaming.”

House bill No. 24, a bill for “an act to provide for homesteads in Wyoming territory.”

Council bill No. 43, a bill for “an act to provide for the recording of deeds, mortgages, bonds, contracts, agreements, &c.”

The council concurs in the house amendments to council bill No. 27, “an act defining the jurisdiction of justices of the peace in criminal proceedings;” and also in the house amendments to council bill No. 25, “an act to establish a code of criminal procedure,” with the exception of the amendments to sections 128 and 206, and for the consideration of those and other bills, the council have appointed a committee of conference, composed of Messrs. Rockwell, Laycock and Poole, to meet that appointed by your house.

The bills are herewith transmitted.

Yours Respectfully,

EDWARD ORPEN,

Secretary of the Council.

Council bill No. 51, a bill for “an act to provide for the appointment of commissioners to take depositions in other states and territories,” was taken up and read third time.

A vote was taken on the passage of the bill.

Ayes—Messrs. Douglass, Herrick, Holbrook, Menefee, Sheeks, Seabee, Wilson and Mr. Speaker—8.

Nays—Mr. Miller—1.

Bill passed.

Mr. Sheeks offered the following amendment to the title:

That it read “a bill for an act to provide for the appointment of commissioners to take depositions and acknowledgments in other states and territories.”

On motion of Mr. Douglass the amendment to the title, and the title as amended were adopted.

Council bill No. 18, a bill for “an act to develop the mining resources of the territory,” was taken up.

On motion of Mr. Miller the rules were suspended, and the bill read a third time by title, and put upon its passage.

The question being, shall this bill pass?

Ayes—Messrs. Abney, Douglass, Herrick, Holbrook, Miller, Menefee, Sheeks, Wilson and Mr. Speaker—9.

Nays—None.

Bill passed, title agreed to.

Council bill No. 39, a bill for “an act to regulate the sale of poisons in the territory,” was taken up and read third time.

Mr. Abney moved to amend the bill by striking out the word “fifty” and inserting instead the words “two hundred.” Lost.

The bill was put upon its passage.

The question being, shall this bill pass?

Ayes—Messrs. Douglass, Herrick, Holbrook, Haas, Sheeks, Wilson and Mr. Speaker—7.

Nays—Messrs. Miller, Menefee and Abney—3.

Bill passed, title agreed to.

On motion of Mr. Sheeks the house took a recess till 3 o'clock p. m.

AFTERNOON SESSION.

House met at 3 p. m.

Speaker in the chair.

Absent at roll call, Mr. Menefee.

On motion of Mr. Herrick the house adjourned at 3:10 p. m.

L. L. BEDELL,

Chief Clerk of the House.

THIRTY-EIGHTH DAY.

HOUSE OF REPRESENTATIVES, }
November 25th, 1869. }

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the chaplain.

Absent at roll call—Messrs. Abney, Menefee and Strong.

Mr. Menefee was excused.

Journal read, corrected and approved.

The speaker having been taken suddenly ill, called Mr. Douglass to the chair.

On motion of Mr. Miller the house took a recess for ten minutes.

House met.

Mr. Douglass in the chair.

Mr. Douglass called Mr. Sheeks to the chair.

The following report was presented:

Mr. Speaker:

Your committee on judiciary to whom was referred council bill No. 50, "an act to provide for preserving the evidence of the official acts of officers taking acknowledgments."

Council bill No. 40, a bill for "an act to protect the property of telegraph companies."

Council bill No. 36, a bill for "an act legalizing the organization of the county board of county commissioners for Carter county."

Council bill No. 2, a bill for "an act adopting the common law of England, and certain statutes," have had the same under consideration, and recommend the passage of Nos. 36 and 50 without amendment, and Nos. 2 and 40 with the following amendments.

BEN SHEEKS,

Chairman of Committee.

Council bill No. 2, to be amended by inserting in first line of section 1, after the word "England," the words "as modified by judicial decisions."

Council Bill No. 40, to be amended in section 1, by striking out in line 18, the word "inability," and inserting instead the word "failure," and in the same line strike out the words "to pay," where repeated.

On motion of Mr. Herrick the report with the amendments were adopted.

Mr. Herrick gave notice that he would on Saturday next, introduce a bill for "an act to change the boundary line between Laramie and Albany counties."

Mr. Haas gave notice that he would on to-morrow or some subsequent day, introduce a bill for "an act to legalize the assessment of taxes in Laramie County for the year 1869."

Mr. Miller introduced House Bill No. 32, a bill for "an act to provide for the distribution of the Laws and Journals of the Legislature of Wyoming," when printed.

Read first time.

On motion of Mr. Herrick the rules were suspended, and the bill read a second and third time by title, and put upon its passage.

A vote was taken on the passage of the bill.

Ayes—Messrs. Abney, Douglass, Herrick, Holbrook, Haas, Miller, Sheeks, Sebree, and Wilson.—9

Nays.—None.

Bill passed, title agreed to.

Mr. Miller introduced a joint resolution relating to the printing of the Laws and Journals of the first Legislative assembly, of Wyoming Territory.

Read first time.

On motion of Mr. Herrick the rules were suspended, and the joint resolution read a second and third time by title and adopted.

Mr. Wilson introduced House Bill No. 33, a bill for "an act to provide for a Territorial Loan."

Read first time.

On motion of Mr. Douglass the rules were suspended, and the bill read a second time, and referred to the committee on Ways and Means.

The following message was received:

COUNCIL CHAMBER, CHEYENNE, W. T., }
November 23d, 1869.

To the Hon. Speaker of the House of Representatives:

SIR—I am instructed by the Council to inform the House of the passage of the following bills.

Council Bill No. 11, a bill for "an act to establish a Fence Law."

Council Bill No. 57, a bill for "an act prescribing rules and regulations for the execution of the trust arising under the Act of Congress entitled 'an act for the relief of the inhabitants of cities and towns upon the Public Lands,'" approved March 2d, 1867.

Council Bill No. 31, a bill for "an act to provide for a Territorial Revenue."

Bills herewith transmitted, and the concurrence of your honorable body requested,

EDWARD ORPEN,
Secretary of the Council.

COUNCIL CHAMBER, CHEYENNE, W. T., }
November 24th, 1869.

The Hon. Speaker of the House of Representatives:

SIR—In reply to the communication from the House in relation to a committee of conference, I have to acquaint you that the committee already appointed for that purpose, Messrs. Rockwell, Poole and Laycock, are fully empowered to act in all matters appertaining to differences between the Council, and the House.

EDWARD ORPEN,
Secretary of the Council.

COUNCIL CHAMBER, CHEYENNE, W. T., }
November 25th, 1869. }

To The Hon. Speaker of the House of Representatives:

SIR—I am instructed to inform your honorable body that the Council has adopted the enclosed resolution, and respectfully ask your concurrence.

EDWARD ORPEN,
Secretary of the Council.

Resolution laid over.

COUNCIL CHAMBER, CHEYENNE, W. T., }
November 24th, 1869. }

To the Hon. Speaker of the House of Representatives:

SIR—I am instructed by the Council to inform the House of the passage of the accompanying joint resolution in regard to Indian Affairs, and respectfully ask your concurrence therein.

EDWARD ORPEN,
Secretary of the Council.

COUNCIL CHAMBER, CHEYENNE, W. T., }
November 24th, 1869. }

Hon. Speaker of the House of Representatives:

SIR—I am instructed to inform the House of the passage of Council Bill No. 7, a bill for "an act to establish the Treasury Department," and respectfully ask your concurrence.

Bills herewith transmitted.

EDWARD ORPEN,
Secretary of the Council.

COUNCIL CHAMBER, CHEYENNE, W. T., }
November 25th, 1869. }

Hon. Speaker of the House of Representatives:

SIR—In reply to your message of this date having reference to the appointment of a committee of conference to consider the message of the Council of the 23d inst.

I am instructed to inform the House of Representatives that there is no disagreement between the Council and your body in relation to the communication of 23d, referred to in communication of this date. The Council does not recognize the right of the House to appoint a committee of conference on the message, and therefore decline appointing a committee from this body.

EDWARD ORPEN,
Secretary of the Council.

Mr. Sheeks, Speaker pro-tem, called Mr. Douglass to the chair.

Mr. Sheeks moved that a message be sent to the council informing them that the House had not appointed any committee of conference, and insisting that a committee be appointed by the Council to confer with a committee from the House in relation to the message referred to in the last communication read. Carried.

Mr. Sheeks moved that the message to the Council from the House, on the 23d inst. be recalled. Carried.

The following joint resolution from the Council was taken up.

Resolved, By the Council the House concurring, that no bills for acts shall be introduced in either House after the first day of December next.

On motion of Mr. Wilson the resolution was laid on the table.

Council joint resolution No. 4, in relation to Indians was taken up and read first time.

On motion of Mr. Wilson the rules were suspended and the resolution read a second time by title.

Mr. Sheeks moved to strike out all after the word "troops." Carried.

On motion of Mr. Wilson the rules were suspended and the resolution read a third time by title, and a vote taken of its adoption.

Ayes.—Messrs. Abney, Holbrook, Sebree and Wilson.—4.

Nays.—Messrs. Douglass, Herrick, Haas, Miller and Sheeks.—5.

The resolution was not adopted.

On motion of Mr. Miller the House took a recess till 2 p. m. House met at 2 p. m.

Mr. Sheeks in the chair.

Absent at roll call—Messrs. Abney, Haas, Menefee, Sebree, Strong, Wilson and Mr. Speaker.

The Speaker was excused on account of illness, Mr. Menefee was also excused.

On motion of Mr. Miller absentees were sent for.

On motion of Mr. Douglass further proceedings under call of the House were dispensed with.

Council Bill No. 11, a bill for "an act to establish a Fence Law," was taken up and read first time.

On motion of Mr. Douglass the rules were suspended and the bill read a second time by title.

On motion of Mr. Abney, the bill was referred to a special committee composed of one member from each County.

The Speaker pro-tem appointed Messrs. Abney, Douglass, Holbrook and Strong, such committee.

Council Bill No. 31, a bill for "an act to provide a Territorial Revenue," was taken up.

On motion of Mr. Abney the rules were suspended, and the bill read a first and second time by title, and referred to the committee on Ways and Means."

Council Bill No. 57, a bill for "an act for the relief of the inhabitants of cities and towns on the Public Lands," was taken up and read first time.

A communication was received from his Excellency the Governor.

On motion of Mr. Miller the rules were suspended and Council Bill No. 57, read a second time by title, and referred to the Judiciary committee.

On motion of Mr. Miller the rules were suspended to take up the following communication.

EXECUTIVE DEPARTMENT, CHEYENNE, W. T., }
November 25th, 1869.

To the Hon. Speaker of the House of Representatives:

In response to a resolution of the House of Representatives, I have the honor to forward herewith a copy of a letter from the Department of the Interior, in relation to the books now in that Department for the Territorial Library of Wyoming.

Very respectfully, your obedient servant,

J. A. CAMPBELL.

DEPARTMENT OF THE INTERIOR, WASHINGTON, D. C., }
May 28th, 1869.

SIR—I am instructed to acknowledge the receipt of your letter of the 22d inst, and to inform you that a set of the Laws of the United States has been forwarded to the Executive Department of the Territory of Wyoming.

A complete set of Congressional documents from the commencement of the thirty-fifth congress. A set of the second series of "American State Papers," in seventeen volumes. A set of the Annals of Congress, in forty-two volumes, and a set of American Archives, in nine volumes, all carefully packed in thirteen boxes, average weight about one hundred and twenty pounds each, are held in the custody of this Department, for the Territorial Library of Wyoming.

The several States and Territories which receive complete sets of congressional documents from the Department of the Interior, are required to pay the cost of the transportation, and the above mentioned books and documents will be forwarded to your address as soon as the Secretary of the Interior shall have been advised of the willingness of the Territorial authorities of Wyoming to pay such charges.

Very respectfully, your obedient servant,

(Signed)

G. T. METCALF.

Chief Clerk.

EXECUTIVE DEPARTMENT, CHEYENNE, W. T., }
November 25th, 1869.

To the Hon. Speaker of the House of Representatives:

SIR—In response to the resolution of your honorable body, calling for the correspondence and other facts in relation to the Territorial prisoners now confined in the State Prison in Detroit, on account of this Territory, and also on account "of the expense incurred and to be incurred as nearly as he (I) can estimate."

I have the honor to forward herewith copies of my correspondence with the Governor of Michigan, and the Superintendent of the Detroit House of Correction.

The following prisoners have been convicted of offences against the Laws of the Territory.

Stephen Duke, convicted of arson at the June term of Court, in the second Judicial District, sentenced to four years imprisonment, is still confined at Fort Sanders awaiting transportation to Detroit.

James H. Russell, convicted of larceny at the June term of Court of the second Judicial District, and sentenced to one year's imprisonment, has been taken to Detroit.

Daniel Bush, convicted of grand larceny at June term of Court in third Judicial District, and sentenced to ten years imprisonment. Bush escaped after his sentence but has since been apprehended in Kansas, and an agent of the Territory has been sent to take him to Detroit. The expense already incurred in transporting the prisoners has been about four hundred dollars.

I cannot form any reliable estimate of the probable annual expense attending this arrangement, but presume it will not exceed three or four thousand dollars per year.

I was compelled to make some provision for these prisoners, and should this meet the approval of the Legislature. I trust that an appropriation will be made of a sum of money to meet the expenses already incurred, and future necessary expenses as fast as they become due.

Very respectfully,

Your obedient servant,

J. A. CAMPBELL.

[COPY]

CHEYENNE, W T., August 17th, 1869.

HON. H. P. BALDWIN.

Governor of the State of Michigan,

Lansing, Michigan.

SIR—In accordance with the provision of the "organic act," of this Territory extending the Laws of the Territory of Dakota over Wyoming until repealed by our Legislature, several criminals have been sentenced by our courts to confinement in the

Territorial Penitentiary. As there is no Penitentiary in this Territory, I have the honor to request that if not inconsistent with the Laws of your State you will please inform me or cause me to be informed by the proper state officer, upon what terms and under what regulations prisoners sentenced under our Laws, will be confined and subsisted in your State Prison.

In case satisfactory terms can be agreed upon, I desire to designate the Michigan Penitentiary as the Territorial Penitentiary of Wyoming, and direct that our prisoners be confined therein.

Very respectfully.

Your obedient servant

J. A. CAMPBELL.

[COPY]

STATE OF MICHIGAN, EXECUTIVE OFFICE, }
Detroit, August 28th, 1869. }

His Excellency J. A. CAMPBELL,

Governor of Wyoming.

SIR—I have the honor to have received yours of August 17th requesting information as to the terms on which prisoners from your Territory, may be confined and cared for in the State Prison of this State. The State Prison of Michigan is already too small for accomodation of the increasing number of convicts. It is possible that the number which would be likely to be received from your Territory might be cared for.

One of the best Prisons perhaps in the whole country is the "House of Correction," in this city.

United States convicts from your Territory are now sent to this place for confinement, I know of no other prison in the United States I could so strongly recommend. I have placed your letter in the hands of Z. R. Brockway the very able Superintendent of that institution, with a request that he should communicate with your Excellency on the subject. He will write you at once.

Very respectfully yours

(Signed)

H. P. BALDWIN.

DETROIT HOUSE OF CORRECTION, }
SUPERINTENDENT'S OFFICE, }
Detroit, Michigan, August 31st, 1869. }

HON. J. A. CAMPBELL,

Cheyenne, Wyoming Territory.

SIR—Yours of the 17th inst. to Governor Baldwin, relating to confinement of certain prisoners, is handed me for reply.

I have an arrangement with the United States for the detention of prisoners from the territories of Wyoming, Montana, Dakota, Nebraska, etc., the Secretary of the Interior having designated this prison, as he is authorized to do by the act of

Congress entitled, "an act in relation to persons imprisoned under sentence for offenses against the laws of the United States, approved March 2d, 1867." The United States pay us quarterly at the rate of one dollar and twenty-five cents per week (\$1.25) each, which covers all our charges for board, clothing, medical attendance, etc.

I will receive prisoners sentenced to confinement in the territorial penitentiary, who may be sentenced for periods of not less than one year, upon the same terms as those made with the United States, viz. \$1.25 per week each.

Provided, that in case insane or imbecile persons are brought here, or in case prisoners from your territory become insane or imbecile during their imprisonment, the actual expense to us for their maintenance in asylum, shall be defrayed by the territory on presentation of the verified account. Of course our accommodations are limited, and this arrangement will be necessarily limited by the fact. I will receive your prisoners until you are notified that the maximum capacity of our buildings is reached.

If this arrangement is entered into, please advise me the probable number of prisoners to come forward, and state definitely how the account shall be made, to whom presented and on whom I shall draw for the quarterly bill.

I enclose herewith copies of our annual report for 1868, also the rules and regulations.

An early reply is respectfully solicited.

Very respectfully, your obedient servant,

(Signed)

Z. R. BROCKWAY,

Superintendent.

[COPY.]

CHEYENNE, September 14th, 1869.

Z. R. BROCKWAY, Esq.,

Superintendent of Detroit House of Correction,

Detroit, Michigan.

SIR—I have the honor to acknowledge the receipt of your letter of the 31st August, with enclosures.

I accept the terms you offer for the confinement of prisoners sent from this territory, and have this day issued a proclamation, (copy enclosed), designating the Detroit House of Correction as the territorial prison of Wyoming. I cannot form a reliable estimate of the number of prisoners that will be sent from this territory, but presume the number per year will not exceed fifteen or twenty. Please send your account quarterly to Hon. E. M. Lee, Secretary of the territory.

Very respectfully,

Your obedient servant,

J. A. CAMPBELL,

Governor of Wyoming.

EXECUTIVE DEPARTMENT, CHEYENNE, W. T., }
November 24th, 1869. }

To the Hon. Speaker of the House of Representatives:

SIR—I have the honor to inform the House of Representatives that I have approved “an act to repeal ‘an act incorporating the city of Laramie.’”

“An act to regulate the rates of interest on money and other evidences of indebtedness in the territory of Wyoming.”

Very respectfully,

Your obedient servant,

J. A. CAMPBELL.

WYOMING TERRITORY, EXECUTIVE DEPARTMENT, }
Cheyenne, November 25th, 1869. }

To the Hon. Speaker of the House of Representatives:

SIR—In response to a resolution of the House of Representatives, calling upon me for information concerning arms for militia, I have the honor to forward herewith copies of my correspondence with the War Department, which comprise all the information I am able to give the House on the subject.

Very respectfully,

Your obedient servant,

J. A. CAMPBELL.

[COPY.]

WYOMING TERRITORY, EXECUTIVE DEPARTMENT, }
Cheyenne, July 3d, 1869. }

HON. JOHN A. RAWLINS,

Secretary of War, Washington, D. C.

GENERAL—I have the honor to respectfully request that the quota of arms to which in your opinion the territory of Wyoming may be entitled, under the act of Congress of April 23d, 1808, entitled “an act making provision for arming and equipping the whole body of the militia of the United States,” and amendments thereto, may be forwarded to me at as early a day as practicable.

The militia of the territory has not yet been organized and I cannot give the number of persons liable to enrollment, but estimate the whole number in the territory at four thousand.

I wish to distribute the arms, if obtained, under proper restrictions, and with every care for their preservation among the settlers in the sections of the territory most liable to Indian incursions. The military division and department commanders are doing all in their power to protect the settlers, but I think

the distribution of arms would have a good effect in giving greater confidence to the people, and would also enable them to assist the necessarily small military force in the territory in case of an Indian raid.

I have the honor to be

Very respectfully,

Your obedient servant,

J. A. CAMPBELL,

Governor.

[COPY]

ORDNANCE OFFICE, WAR DEPARTMENT, }
Washington, July 10th, 1869.

HON. J. A. CAMPBELL,

Governor of Wyoming.

Cheyenne, W. T.:

SIR—I have to acknowledge reference to this office by the Secretary of War, of your letter of the 3d instant in reference to arms for your territory under the Law of 1808, and to inform you that the quota under that law, now due to Wyoming is of the value of \$1642.61, to which extent arms &c., such as are available, will be furnished upon your requisition or order.

Under Section 7, of the act of 3d March, 1855, the distribution of arms to the states is not made according to the number of enrolled militia, but according to representation in congress, hence the number of persons in your Territory subject to enrollment, is not necessary for the purpose of obtaining the quota due.

Very respectfully,

Your obedient servant,

(Signed)

J. T. TREADWELL,

*Brevet Lieutenant Colonel and Major of Ordnance,
In charge of Bureau.*

[COPY]

EXECUTIVE DEPARTMENT, CHEYENNE, W. T., }
July 16th, 1869.

To the Chief of Ordnance, Washington, D. C.

GENERAL—I have the honor to acknowledge the receipt of communication of 10th inst. from your office, informing me that the quota of arms &c., now due Wyoming under the Law of 1808, is of the value of \$1642.61, and respectfully request that the arms, &c., be shipped to my address at as early a day as practicable.

Very respectfully, your obedient servant,

(Signed)

J. A. CAMPBELL,

Governor.

[COPY]

ORDNANCE OFFICE, AR DEPARTMENT, }
 Washington, July 22d. 1869. }

HON. J. A. CAMPBELL,

*Governor of Wyoming,**Cheyenne, W. T.:*

SIR—In reply to your letter of the 16th inst., I have to state, that as you do not designate the kind of arms you require, they cannot be sent until such designation is made. The available arms for issue to the States and Territories, are Springfield muskets, calibre 58, and these are furnished at the price of \$16 each. But the Department has a quantity of arms of this kind that have been cleaned and repaired, and which are as good for any kind of service as the new arms, which can be furnished at the price of \$10 each.

Please signify which you shall have.

Respectfully, your obedient servant,

N. B. DYER,

Bvt. Maj. Gen., Chief of Ordnance.

P. S.—The Department can also furnish Spencer Rifles at \$38; Spencer Carbines at \$26, and Remington Revolvers at \$15 each.

The message relating to library was referred to committee on library.

The message in relation to subsistence of prisoners was referred to committee on Ways and Means.

The message in relation to arms was referred to committee on Federal Relations.

Council bill No. 7, a bill for "an act to establish the territorial treasury department" was taken up.

On motion of Mr. Abney the rules were suspended and the bill read a first and second time by title and referred to committee on Ways and Means.

On motion of Mr. Douglass the House resolved itself into committee of the whole for the consideration of house bill No. 26, a bill for "an act to establish a school law for Wyoming territory."

Mr. Wilson was called to the chair.

After some time spent in consideration of the bill, the committee arose and reported progress and asked leave to sit again another day.

On motion of Mr. Douglass the report was adopted.

A message was received from the council.

On motion of Mr. Miller the rules were suspended to allow the taking up of the message.

COUNCIL CHAMBER, CHEYENNE, W. T., }
November 25th, 1869. }

To the Hon. Speaker of the House of Representatives:

SIR—I am instructed to inform you of the passage of council bill No. 59, a bill for “an act to legalize the levy of taxes for Laramie county for 1869.”

Also the adoption of a memorial and joint resolution to Congress in regard to Indian affairs.

Also to return the message referred to in your message bearing this date.

The documents are herewith transmitted.

Respectfully,

EDWARD ORPEN,
Secretary of the Council.

Mr. Miller moved the house resolve itself into committee of the whole for the consideration of council bill No. 31, a bill for “an act to provide a territorial and county revenue.” Lost.

On motion of Mr. Abney the House took a recess at 3:20 p. m. till 7 p. m.

House met at 7 p. m.

Mr. Sheeks in the chair.

Absent at roll call—Messrs. Abney and Herrick.

Council bill No. 50, a bill for “an act to provide for the preservation of the evidence of the official acts of officers taking acknowledgments,” was taken up and read third time and put upon its passage.

A vote was taken on the passage of the bill.

Ayes—Messrs. Abney, Douglass, Herrick, Holbrook, Haas, Miller, Menefee, Sheeks, Sebree and Mr. Wilson—10.

Nays—None.

Bill passed, title agreed to.

Council bill No. 36, a bill for “an act legalizing the appointment of the county board of county commissioners for Carter county” was taken up.

On motion of Mr. Miller the bill was recommitted to the judiciary committee.

Mr. Herrick by consent of the house gave notice that he would on to-morrow or some subsequent day, introduce a bill for “an act to establish a territorial assay office.”

Council bill No. 40, a bill for “an act to protect the property of telegraph companies,” was taken up and read third time and passed.

Ayes—Messrs. Abney, Douglass, Haas, Miller, Menefee, Sheeks, Sebree and Wilson—8.

Nays—Messrs. Herrick and Holbrook—2.

Bill passed, title agreed to.

Council bill No. 2, a bill for "an act adopting the common law of England and certain statutes" was taken up.

On motion of Mr. Miller the rules were suspended and the bill read a third time by title and put upon its passage.

A vote was had on the passage of the bill.

Ayes—Messrs. Herrick, Holbrook, Haas, Miller, Menefee, Sheeks, Seebree and Wilson—8.

Nays—Messrs. Abney and Douglass—2.

Bill passed and title agreed to.

House bill No. 30, a bill for "an act to locate the capitol seat of government of Wyoming territory," was taken up and read a second time and referred to committee on territorial affairs.

On motion of Mr. Miller the house resolved itself into committee of the whole for the consideration of house bill No. 26, a bill for "an act to establish a school law for Wyoming territory."

Mr. Wilson was called to the chair.

After some time spent in consideration of the bill, the committee arose and through their chairman reported that further proceedings on the bill were postponed until a sufficient number of members were in the House to form a quorum.

On motion of Mr. Wilson absent members were sent for.

Mr. Abney moved to adjourn. Lost.

The absent members appeared and took their seats.

On motion of Mr. Wilson the House resolved itself into a committee of the whole for the further consideration of house bill No. 26.

After some time spent in consideration of the bill, the committee arose and through their chairman reported as follows:

Mr. Speaker:

The committee of the whole have had house bill No. 26, a bill for "an act to establish a school law for the territory of Wyoming" under consideration, and report the bill back to the house with amendments, and recommend the passage of the bill as amended.

P. S. WILSON,

Chairman of Committee.

On motion of Mr. Miller the report was adopted.

On motion of Mr. Seebree the House adjourned at 10:30 p. m.

L. L. BEDELL,

Chief Clerk of the House.

THIRTY-NINTH DAY.

HOUSE OF REPRESENTATIVES, }
November 26th, 1869.

House called to order by the chief clerk.

Prayer by the chaplain.

Absent at roll call—Mr. Strong and Mr. Speaker, sick.

On motion of Mr. Miller the House proceeded to the election of a speaker pro-tem.

Mr. Abney nominated Mr. Sheeks.

Mr. Sheeks nominated Mr. Douglass.

Mr. Herrick nominated Mr. Abney, who declined.

Mr. Haas moved that Mr. Sheeks be declared elected speaker pro-tem, by acclamation. Carried.

Mr. Sheeks took the chair.

Journal read and approved.

The speaker pro-tem announced to the House that he had signed,

“An act legalizing the assessment, equalization and other irregularities in levying taxes of Carter county, for the year 1869.”

“An act legalizing certain records in Shoshone and California mining districts in Carter county, and for other purposes.”

And “an act to prevent the spread of contagious diseases.”

Mr. Abney presented the following report:

Mr. Speaker:

Your committee on federal relations, to whom was referred council bill No. 30, a bill for “an act to protect persons traveling by railroad in Wyoming territory,” have had the same under consideration, and report it back without amendment, and recommend its passage.

J. C. ABNEY,

Chairman of Committee.

On motion of Mr. Seabee the report was adopted.

Mr. Douglass presented the following report:

Mr. Speaker:

Your committee on ways and means to whom was referred council bill No. 7, a bill for “an act to organize the territorial treasury department,” have had the same under consideration, and report it back to the House, recommending its passage.

J. N. DOUGLASS,

Chairman of Committee.

On motion of Mr. Miller report adopted.

On motion of Mr. Sebree the rules were suspended to allow Mr. Wilson to introduce house bill No. 34, a bill for "an act to afford an additional cause of attachment."

Read first time.

Mr. Wilson moved the rules be suspended and the bill be read a second and third time by title, and put upon its passage. Lost.

Mr. Sebree moved to suspend the rules and the bill be read a second time by title and referred. Lost.

Mr. Abney moved to postpone the bill indefinitely. Carried.

Mr. Sebree introduced house bill No. 35, a bill for "an act to provide for cases where officers elect fail to qualify."

Read first time.

On motion of Mr. Abney the rules were suspended, and the bill read a second time by title and referred to the committee on elections.

Mr. Herrick introduced house bill No. 36, a bill for "an act to establish a territorial assay office for Wyoming territory."

Read first time.

On motion of Mr. Menefee the rules were suspended, and the bill read a second time by title and referred to a special committee.

The speaker appointed Messrs. Menefee, Douglass, Abney and Strong such committee.

The speaker pro-tem announced to the House that he had signed "an act for the protection of game and fish."

Mr. Haas presented the following report :

Mr. Speaker :

Your committee on enrolled and engrossed bills have examined house bill No. 20, a bill for "an act to locate the territorial penitentiary of Wyoming, and defining the duties of officers," and report it back to the House correctly engrossed.

HERMAN HAAS,

Chairman of Committee.

Council memorial No. 5, a memorial to Congress in relation to Indian affairs, was taken up and read first time.

On motion of Mr. Abney the rules were suspended and the memorial read a second and third time and adopted.

Council bill No. 59, a bill for "an act to legalize the assessment of taxes for Laramie county for the year 1869," was taken up.

Read first time.

Mr. Douglass moved to suspend the rules, and the bill be read second time by title and referred. Lost.

On motion of Mr. Sebree the rules were suspended, and the bill read a second and third time by title and put upon its passage.

A vote was had upon the passage of the bill.

Ayes—Messrs. Abney, Douglass, Herrick, Holbrook, Haas, Miller, Sheeks, Sebree and Mr. Wilson—9.

Nays—None.

Bill passed, title agreed to.

Council bill No. 30, a bill for "an act to protect persons traveling by railroad in this territory," was taken up and read for information.

On motion of Mr. Haas the bill was made a special order for the afternoon at 3 p. m.

Council bill No. 7, a bill for "an act to establish the Territorial Treasury Department," was taken up and read for information.

On motion of Mr. Douglass the bill was made a special order for 7 p. m. this evening.

On motion the House took a recess at 12:15 o'clock p. m. till 2 p. m.

House met at 2 p. m.

Speaker pro-tem in the chair.

Absent at roll call—Messrs. Abney, Haas, Miller, Menefee, Strong, Wilson and Mr. Speaker.

The Speaker was excused on account of sickness.

The Sergeant-at-arms was dispatched for absentees.

On motion of Mr. Miller further proceedings under call of the House were dispensed with.

On motion of Mr. Douglass the rules were suspended to take up the following communication from the Council.

COUNCIL CHAMBER, CHEYENNE, W. T., }
November 26th, 1869. }

To the Hon. Speaker of the House of Representatives:

SIR—I am instructed to inform your honorable body, that the Council has appointed a committee of three, consisting of Messrs. Wilson, Poole and Brady, to confer with a similar committee from the House, to prepare a bill creating the county of Uintah, and if necessary to establish county lines; and the Council respectfully asks that your honorable body may appoint a similar committee to act as a joint committee, and prepare such a bill as will meet the requirements of the case.

Respectfully,

EDWARD ORPEN,
Secretary of the Council.

The Speaker pro-tem called Mr. Douglass to the chair.

Mr. Sheeks moved that the message just read be returned to the Council, and the clerk be instructed to inform the Council, that as the House has passed a bill creating the county of Uintah, which has been sent to the Council, the House cannot appoint a committee of conference on the subject of that bill, until they have received information as to the action of the Council on the same. Carried.

The Speaker pro-tem resumed the chair.

House bill No. 20, a bill for "an act to locate the Territorial Penitentiary of Wyoming," was taken up and read a third time and put upon its passage.

A vote was taken on the passage of the bill.

Ayes—Messrs. Douglass, Herrick, Holbrook, Haas, Miller, Menefee, Sheeks, Sebree and Wilson—9.

Nays—None.

The Speaker pro-tem called Mr. Douglass to the chair.

Mr. Sheeks moved the title be amended so as to read a bill for "an act to locate the Penitentiary of Wyoming territory, and defining the duties of the officers thereof. Carried.

Title as amended agreed to.

The Speaker pro-tem resumed the chair.

Mr. Haas moved the House resolve itself into committee of the whole for the consideration of Council bill No. 30, a bill for "an act to protect persons traveling by railroad in this territory." Carried.

Mr. Abney was called to the chair.

The committee arose to receive a message from the Council.

On motion of Mr. Abney the House resolved itself into committee of the whole, and resumed the consideration of Council bill No. 30.

After some time spent in consideration of the bill, the committee arose and through their chairman reported as follows:

Mr. Speaker:

The committee of the whole have had council bill No. 30, a bill for "an act to protect persons traveling by railroad in this territory" under consideration, and have amended the same by striking out sections 2, 3, 4, 5 and 6, and have amended section 7 by striking out the words "and six" in the fourth line of the same, and recommend the passage of the bill as amended.

J. C. ABNEY,

Chairman of Committee.

On motion of Mr. Miller report adopted.

On motion of Mr. Miller the House resolved itself into committee of the whole for the consideration of house bill No. 21, a bill for "an act regulating the fees of county officers."

Mr. Douglass was called to the chair.

After some time spent in consideration of the bill, the committee arose and through their chairman reported as follows:

Mr. Speaker:

The committee of the whole have had house bill No. 21, a bill for "an act to regulate the fees of county officers" under

consideration, and have amended the same and recommend its passage as amended.

J. N. DOUGLASS,
Chairman of Committee.

On motion of Mr. Abney the report was adopted.

On motion of Mr. Miller the House took a recess at 4:40 p. m. till 7 p. m.

House met at 7 p. m.

The Speaker pro-tem in the chair.

Absent at roll call—Messrs. Haas, Menefee, Sebree and Wilson.

The sergeant-at-arms was dispatched for absentees.

On motion of Mr. Miller further proceedings under call of the House were dispensed with.

On motion of Mr. Abney the House resolved itself into committee of the whole for the consideration of council bill No. 7, a bill for "an act to establish the Territorial Treasury Department of the territory of Wyoming."

Mr. Wilson was called to the chair.

The committee arose to receive a message from the Council.

On motion of Mr. Miller the House resolved itself into committee of the whole and resumed the consideration of council bill No. 7.

After some time spent in consideration of the bill, the committee arose and through their chairman reported as follows:

Mr. Chairman:

The committee of the whole have had council bill No. 7, a bill for "an act to establish the Territorial Treasury Department" under consideration, and report the same back to the House with amendments, and recommend its passage as amended.

LOUIS MILLER,
Chairman of Committee.

On motion of Mr. Douglass report adopted.

On motion of Mr. Abney the rules were suspended and the following communications from the Council were taken up.

COUNCIL CHAMBER, CHEYENNE, W. T., }
November 26th, 1869. }

To The Hon. Speaker of the House of Representatives:

SIR—I am instructed to inform the House that the Council has passed council bill No. 8, a bill for "an act relating to estrays for Wyoming territory," and respectfully ask your concurrence thereto.

EDWARD ORPEN,
Secretary of the Council.

COUNCIL CHAMBER, CHEYENNE, W. T., }
November 26th, 1869.

Hon. Speaker of the House of Representatives:

SIR—I am instructed to inform the House that the Council has passed house bill No. 17, a bill for “an act to create the county of Uintah” with the following amendments:

The words “at or near Fort Bridger” to be stricken out, and the words “at Merrill near Fort Bridger” inserted instead.

Also that the letter “h” be dropped from the word “Uintah” so as to spell “Uinta,” and respectfully ask your concurrence therein.

Respectfully,

EDWARD ORPEN,
Secretary of the Council.

COUNCIL CHAMBER, CHEYENNE, W. T., }
November 26th, 1869.

Hon. Speaker of the House of Representatives:

SIR—I am instructed to inform the House that the Council has passed the following bills:

Council bill No. 46, a bill for “an act giving liens to miners and other laborers in mines and coal banks, and upon oil

Council bill No. 45, a bill for “an act to prevent intermarriage between white persons and those of one-eighth or more of negro or mongolian blood.”

House bill No. 31, “an act regulating proceedings on habeas corpus,” with the following amendments:

The word “title” to be inserted at the commencement of bill.

In section 44, third line, insert the word “title” for “chapter.”

Council bill No. 33, a bill for “an act concerning county licenses,” and your concurrence thereto is respectfully requested.

Respectfully,

EDWARD ORPEN,
Secretary of the Council.

Mr. Herrick moved to adjourn. Lost.

Council bill No. 8, a bill for “an act concerning estrays” was taken up.

On motion of Mr. Abney the rules were suspended and the bill read twice by title and referred to committee on agriculture.

Council bill No. 33, a bill for “an act relating to county licenses” was taken up.

On motion of Mr. Seabee the rules were suspended and the bill read by title twice, and referred to committee on ways and means.

Council bill No. 46, a bill for "an act giving liens to miners and other laborers in mines and coal banks, and upon oil" was taken up.

On motion of Mr. Menefee the rules were suspended and the bill read twice by title, and referred to committee on judiciary.

Council bill No. 45, a bill for "an act to prevent intermarriage between white persons and persons of one-eighth negro or mongolian blood" was taken up.

On motion of Mr. Douglass the rules were suspended and the bill read twice by title and referred to the committee on judiciary.

Mr. Miller asked leave of absence till Monday next.

Refused.

On motion of Mr. Sebree the House adjourned at 8:45 p. m.

L. L. BEDELL,

Chief Clerk of the House.

FORTIETH DAY

HOUSE OF REPRESENTATIVES, }
November 27th, 1869. }

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the chaplain.

Absent at roll call—Messrs. Haas, Strong and Wilson.

Journal read and approved.

The Speaker announced to the House that he had signed "an act fixing the time and place of holding the first and subsequent terms of the Supreme court and defining its duties."

Mr. Miller introduced a memorial and joint resolution to the Congress of the United States, praying for an appropriation for the erection of a Penitentiary for Wyoming territory.

Read first time.

Mr. Sheeks presented the following report.

Mr. Speaker :

Your committee on judiciary, to whom was referred council bill No. 36, a bill for "an act legalizing the organization of the county board of county commissioners for Carter county," have considered the same, and recommend its passage without amendment.

BEN SHEEKS,

Chairman of Committee.

On motion of Mr. Miller the report was adopted.

Mr. Sheeks presented the following report:

Mr. Speaker :

Your committee on judiciary, to whom was referred council bill No. 46, a bill for "an act giving liens to miners and other laborers in mines and coal banks and upon oil."

Council bill Nor 45, a bill for "an act to prevent marriages between white persons and persons of one-eighth or more negro or mongolian blood."

Council bill No. 57, a bill for "an act for the relief of cities and towns upon the public lands," have had the said bills under consideration and report them back to the House, recommending their passage, with the following amendments to bills Nos. 57 and 46.

BEN SHEEKS,

Chairman of Committee.

Council bill No. 57 to be amended in section 1, by striking out the word "state" in fourth line, and inserting instead the word "territory."

Council bill No. 46 to be amended in the title by striking out the word "territory," and inserting the word "land" instead.

Section 1, third line, amended by striking out the word "being" and insert the word "ledge."

On motion of Mr. Menefee the amendments were adopted.

Report adopted.

Mr. Menefee presented the following report:

Mr. Speaker :

Your special committee to whom was referred house bill No. 36, a bill for "an act to establish a territorial assay office," have had the same under consideration, and report it back to the House recommending that it do not pass.

J. W. MENEFEE,

Chairman of Committee.

Report laid over.

Mr. Sheeks introduced house bill No. 37, a bill for "an act regulating marriages."

Read first time.

On motion of Mr. Abney the rules were suspended and the bill read a second time by title and referred to a special committee of five members.

The Speaker appointed Messrs. Abney, Sheeks, Douglass, Menefee and Herrick such committee.

On motion of Mr. Sheeks the rules were suspended to allow Mr. Douglass to present the following report:

Mr. Speaker:

Your committee on ways and means, to whom was referred council bill No. 31, a bill for "an act to provide a Territorial Revenue," have had the same under consideration, and report it back to the House with the following amendments, and recommend the passage of the bill as amended.

J. N. DOUGLASS,

Chairman of Committee.

Amendments. Section 27 prefix the following:

"The Assessor of each county shall receive for his services twelve dollars per day for the time actually engaged in making the assessment as provided in this act, and he shall receive in addition to such per diem, such per centum on the total value of the property assessed by him as the board of county commissioners shall deem just and equitable. *Provided*, that in no case shall such per centum as additional compensation exceed one-quarter of one per centum on the total value of the property assessed, and the county commissioners shall order a warrant to be drawn on the county treasurer for the amount due such assessment as in the case of other claims against the county."

Section 36, add to the section the following:

When a territorial or county warrant of any kind is received by the collector of taxes, he is directed to endorse thereon the name of the person from whom he received it, the amount for which it was received and the date thereof, and from that date the warrant is regarded as cancelled and cannot be re-issued.

But when the county warrant amounts to more than is to be paid by the person presenting it for taxes, the collector will give him a certificate for the balance due him, which shall entitle him to another warrant on the same fund as the original warrant, on presentation of said certificate to the board of county commissioners."

Section 60, add, "And upon his refusal to make such settlement, as required, he shall be fined in any sum not less than one thousand dollars, nor more than ten thousand dollars, to be recovered by action in the District court against the treasurer and his sureties, by the board of county commissioners.

"When any treasurer goes out of office, he shall make a full and complete settlement with the county commissioners, and shall deliver all books, papers, moneys, and all other property appertaining to his office to his successor, taking his receipt therefor."

On motion of Mr. Miller the amendments were adopted.

Report adopted.

On motion of Mr. Sebree the Hon. S. F. Huddleston, ex-member of Colorado legislature was invited to a seat within the bar of the House.

The following council amendments to house bill No. 17, a bill for "an act to create the county of Uintah," were taken up.

That the bill be amended by striking out the words "at or near Fort Bridger" and inserting instead the words "at Merrill near Fort Bridger." Also by dropping the letter "h" from Uintah.

On motion of Mr. Sheeks the amendments were concurred in.

Council amendments to house bill No. 31, a bill for "an act regulating proceedings on habeas corpus" was taken up.

The word "title" to be inserted in the commencement of the bill.

In section 44, line 3, insert the word "title" instead of "chapter.."

On motion of Mr. Douglass the amendments were concurred in.

On motion of Mr. Douglass, Mr. Menefee was excused for ten minutes.

On motion of Mr. Miller the rules were suspended in order to take up council bill No. 7, a bill for "an act to establish the territorial treasury department."

On motion of Mr. Douglass, the previous action of the House in adopting the report of the committee of the whole in relation to the bill was reconsidered.

On motion of Mr. Douglass the rules were suspended, and the bill read by title a third time and put upon its passage.

The question being, shall this bill pass?

Ayes—Messrs. Abney, Douglass, Herrick, Holbrook, Miller, Menefee, Seabee and Mr. Speaker—8.

Nays—Messrs. Haas and Sheeks—2.

Bill passed, title agreed to.

On motion of Mr. Sheeks, Mr. Miller was excused till Monday at 3 p. m.

On motion of Mr. Haas the House took a recess till 2 p. m.

AFTERNOON SESSION.

House met at 2 p. m.

Speaker in the chair.

Absent at roll call—Messrs. Haas, Miller and Wilson.

Mr. Miller was excused.

The messages from the Council of November 22d and 23d were taken up for consideration.

On motion of Mr. Sheeks the clerk of the House is instructed to return the one of the 23d inst. for correction.

Council bill No. 43, a bill for "an act providing for the recording of deeds, mortgages, bonds, contracts, agreements, &c.," was taken up and read first time.

On motion of Mr. Menefee the rules were suspended and the bill read a second time by title, and referred to the committee on judiciary.

Council bill No. 45, a bill for "an act concerning alienation of deeds, of the proof of the recording of conveyances, and the cancelling of mortgages."

Read first time.

On motion of Mr. Abney the rules were suspended and the bill read a second time by title and referred to the committee on judiciary.

Council bill No. 47, a bill for "an act restricting gaming," was taken up.

Read first time.

On motion of Mr. Menefee the rules were suspended and the bill read a second time by title and referred to a special committee.

The Speaker appointed Messrs. Menefee, Douglass and Sheeks such committee.

Council bill No. 36, a bill for "an act to legalize the appointment of the board of county commissioners of Carter county," was taken up and read third time.

The question being, shall this bill pass?

Ayes—Messrs. Abney, Douglass, Holbrook, Haas, Menefee, Sheeks, Strong, Wilson and Mr. Speaker—9.

Nays—Mr. Herrick—1.

Bill passed, title agreed to.

Council bill No. 46, a bill for "an act to prevent intermarriages between white persons and those of one-eighth or more negro or mongolian blood" was taken up and read third time.

The question being, shall the bill pass?

Ayes—Messrs. Douglass, Holbrook, Menefee, Sheeks, Strong, Wilson and Mr. Speaker—7.

Nays—Messrs. Abney, Herrick and Haas—3.

Bill passed, title agreed to.

Council bill No. 31, a bill for "an act to provide a territorial revenue" was taken up.

On motion of Mr. Haas the rules were suspended and the bill read by title a third time, and put upon its passage.

The question being, shall this bill pass?

Ayes—Messrs. Abney, Douglass, Herrick, Holbrook, Menefee, Sheeks, Strong, Wilson and Mr. Speaker—9.

Nays—Mr. Haas—1.

Bill passed, title agreed to.

Council bill No. 46, a bill for "an act giving liens to miners and other laborers in mines and coal banks and upon oil territory," was taken up and read third time by title.

The question being, shall this bill pass?

Ayes—Messrs. Abney, Douglass, Herrick, Haas, Menefee, Sheeks, Strong, Wilson and Mr. Speaker—9.

Nays—Mr. Holbrook—1.

Bill passed.

Mr. Sheeks moved to amend the title by striking out the word "territory," and inserting instead the word "land." Carried.

Title as amended agreed to.

Council bill No. 57, a bill for "an act for the relief of cities and towns upon the public lands," was taken up and read third time.

The question being, shall this bill pass?

Ayes—Messrs. Abney, Douglass, Herrick, Haas, Holbrook, Menefee, Sheeks, Seabee and Mr. Speaker—9.

Nays—None.

Bill passed, title agreed to.

Council bill No. 30, a bill for "an act for the protection of persons traveling by railroad in Wyoming territory," was taken up and read third time and put upon its passage.

On motion of Mr. Sheeks there was a call of the House, and absentees sent for.

On motion of Mr. Douglass further proceedings under call of the House were dispensed with.

The question being, shall the bill pass?

Ayes—Messrs. Abney, Herrick, Holbrook, Menefee, Sheeks and Mr. Speaker—6.

Nays—Messrs. Douglass, Seabee, Strong and Wilson—4.

Bill passed, title agreed to.

On motion of Mr. Sheeks the rules were suspended to allow him to make the following report:

Mr. Speaker:

Your special committee to whom was referred council bill No. 35, a bill for "an act legalizing the acts of A. G. Turner and his deputies, as Register of deeds for Carter county," have had the same under consideration, and recommend its passage with the following amendment:

By adding the following proviso to section 1.

"*Provided*, That this act shall not be construed to legalize any act that would of itself have been illegal if the officer performing the same had been regularly qualified, and performed all the acts and duties concerning the same required by law."

BEN SHEEKS,

Chairman of Committee.

On motion of Mr. Menefee the amendment was adopted.

Report laid over.

Mr. Douglass presented the following report:

Mr. Speaker:

Your committee on ways and means, to whom was referred house bill No. 33, a bill for "an act to authorize a territorial loan," have had the same under consideration, and report the

same back to the House requesting that there be action taken on it in committee of the whole.

J. N. DOUGLASS.

Chairman of Committee.

On motion of Mr. Herrick the report was adopted.

On motion of Mr. Douglass the bill was made a special order for 7 p. m.

Mr. Douglass presented the following reports:

Mr. Speaker :

Your committee on library, to whom was referred the communication of the Governor, relating to congressional reports, have had the same under consideration, and report the same back, recommending that there be a committee of conference appointed, composed of the committees on library of the House and Council to further consider the same.

J. N. DOUGLASS,

Chairman of Committee.

On motion of Mr. Herrick, report adopted.

Mr. Douglass presented the following report:

Mr. Speaker :

Your committee on ways and means to whom was referred the communication of the Governor of the territory in relation to expenses incurred in conveying to, and keeping persons convicted of crime, in the Detroit House of Correction, have had the same under consideration, and report it back to the House, requesting that it be referred to a committee of conference, composed of the committees of ways and means of the House and Council.

J. N. DOUGLASS,

Chairman of Committee.

On motion of Mr. Sheeks the report was adopted, and the clerk was instructed to inform the Council of the action of the House.

On motion of Mr. Abney, the House took a recess at 3:45 till 7 p. m.

EVENING SESSION.

House met at 7 p. m.

Speaker in the chair.

Absent at roll call—Messrs. Haas and Wilson.

The sergeant-at-arms was dispatched for absentees.

On motion of Mr. Strong further proceedings under call of the House were dispensed with.

On motion of Mr. Douglass the House resolved itself into committee of the whole for the consideration of house bill No. 33, a bill for "an act authorizing a territorial loan."

Mr. Douglass was called to the chair.

After some time spent in consideration of the bill, the committee arose and through their chairman reported as follows:

Mr. Speaker:

The committee of the whole have had house bill No. 33 under consideration, and report progress and ask leave to sit again another day.

On motion of Mr. Wilson, report adopted.

Mr. Strong moved to refer the bill to the committee on ways and means. Lost.

Mr. Strong moved to lay the bill on the table. Lost.

On motion of Mr. Sheeks the bill was referred to a special committee composed of three members.

The Speaker appointed Messrs. Sheeks, Douglass and Sebree such committee.

On motion of Mr. Strong the House adjourned at 7:35 p. m.

L. L. BEDELL,

Chief Clerk of the House.

FORTY-FIRST DAY

HOUSE OF REPRESENTATIVES, }
November 29th, 1869. }

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the chaplain.

Absent at roll call—Messrs. Abney and Wilson.

Journal read and approved.

The Speaker appointed Mr. Holbrook a member of the following standing committees, ways and means, mines and minerals, and immigration.

Mr. Sheeks presented the following report:

Mr. Speaker:

Your committee on judiciary, to whom was referred council bill No. 43, a bill for "an act to provide for recording deeds, mortgages, bonds, contracts, agreements, &c."

Council bill No. 29, a bill for "an act to protect married women in their separate property."

Council bill No. 48, a bill for "an act in relation to changing the names of individuals" have had the same under consideration and report them back to the House, recommending that council bill No. 48 do not pass; that council bill No. 29 pass without amendment; and that council bill No. 43 pass with the following amendments.

BEN SHEEKS,

Chairman of Committee.

That section 3, line one, be amended by inserting the word "any" after the word "touching."

Also by striking out the fourth section.

On motion of Mr. Strong the amendments were adopted.

On motion of Mr. Douglass the report was adopted.

Mr. Sebree presented the following report:

Mr. Speaker:

Your committee on agriculture, to whom was referred council bill No. 8, a bill for "an act relating to estrays in Wyoming territory," have had the same under consideration, and report it back to the House with the following amendment:

That section 13 read, "This act shall take effect and be in force from and after its passage," and recommend its passage as amended.

HOWARD SEBREE,

Chairman of Committee.

On motion of Mr. Haas the report with the amendment was adopted.

The report of the committee on judiciary in relation to council bill No. 35, a bill for "an act to legalize the acts of A. G. Turner," which laid over one day, was taken up.

On motion of Mr. Douglass adopted.

Mr. Haas presented the following report:

Mr. Speaker:

Your committee on engrossed bill, have examined house bill No. 35, a bill for "an act to provide for cases where officers elect fail to qualify," and report the same back to the House correctly engrossed.

H. HAAS.

Chairman of Committee.

On motion of Mr. Miller report adopted.

Mr. Sheeks gave notice that he would on to-morrow or some subsequent day, introduce a bill for "an act to establish the judicial districts of the territory, fixing the time of holding courts, and assigning the judges."

Council bill No. 8, a bill for "an act relating to estrays in Wyoming territory," was taken up.

On motion of Mr. Strong was recommitted to the committee on agriculture.

Mr. Herrick introduced the following joint resolution:

Resolved, By the Council and House of Representatives; that a committee of five from each house be empowered, in conjunction with his excellency the Governor, to locate the capitol of Wyoming territory, subject to the approval of both houses of the legislature in joint session.

Read first time.

Mr. Abney moved to suspend the rules and the resolution be read a second time. Lost.

Mr. Douglass introduced house bill No. 38, a bill for "an act fixing the compensation of members and officers of the legislative assembly of Wyoming territory."

Read first time.

On motion of Mr. Strong the rules were suspended and the bill read a second time by title, and referred to a special committee composed of one member from each county.

The Speaker appointed Messrs. Strong, Holbrook, Douglass and Haas, such committee.

Council bill No. 35, a bill for "an act to legalize the acts of A. G. Turner and his deputies, as Register of deeds in Carter county," was taken up and read third time and put upon its passage.

The question being, shall this bill pass?

Ayes—Messrs. Abney, Douglass, Herrick, Holbrook, Haas, Menefee, Sheeks, Sebree, Strong, Wilson and Mr. Speaker—11.

Nays—None.

Bill passed, title agreed to.

Council bill No. 48, a bill for "an act relating to changing the names of individuals," was taken up and read third time and put upon its passage.

The question being, shall this bill pass?

Ayes—Messrs. Abney, Douglass, Holbrook—3.

Nays—Messrs. Herrick, Haas, Menefee, Sheeks, Sebree, Strong, Wilson and Mr. Speaker—8.

The bill did not pass.

Council bill No. 29, a bill for "an act to protect married women in their separate property," was taken up and read for information.

On motion of Mr. Sheeks the bill was read a third time by title and put upon its passage.

The question being, shall this bill pass?

Ayes—Messrs. Abney, Douglass, Herrick, Holbrook, Haas, Menefee, Sheeks, Sebree and Wilson—9.

Nays—Messrs. Strong and Speaker—2.

Bill passed, title agreed to.

Council bill No. 43, a bill for "an act to provide for recording deeds, mortgages, bonds, &c.," was taken up.

On motion of Mr. Sheeks the bill was read a third time by title and put upon its passage.

The question being, shall this bill pass?

Ayes—Messrs. Abney, Herrick, Menefee, Sheeks, Sebre, Strong, Wilson and Mr. Speaker—8.

Nays—Messrs. Haas, Holbrook and Douglass—3.

Bill passed, title agreed to.

On motion of Mr. Strong the House took a recess till 2 p. m.

AFTERNOON SESSION.

House met at 2 p. m.

Speaker in the chair.

Absent at roll call—Messrs. Wilson, Menefee and Abney.

House bill No. 36 was taken up for consideration.

On motion of Mr. Douglass the consideration of the bill was postponed till to-morrow.

On motion of Mr. Herrick, the special committee to whom was referred house bill No. 38, a bill for "an act fixing the compensation members, clerks, &c., of the legislature," were required to report to-morrow.

On motion of Mr. Sheeks the clerk was instructed to inform the Council, that the House insists on its amendments to council bill No. 25, a bill for "an act to establish a criminal code for Wyoming territory," and that a committee of conference be requested to meet a similar committee from the House, for consideration of the amendments.

Mr. Douglass moved to reconsider the previous action of the House on house memorial and joint resolution No. 5, providing for an appropriation from congress for the building of a territorial penitentiary. Lost.

Mr. Douglass introduced the following resolution:

Resolved, That the use of the hall be tendered this evening, at half past seven o'clock, to Prof. Frazier, for the purpose of delivering a lecture on Metallurgy and Minerals.

On motion of Mr. Strong, resolution adopted.

On motion of Mr. Herrick, the House resolved itself into committee of the whole for the consideration of house memorial No. 5, to the congress of the United States, praying for an appropriation for the erection of a territorial penitentiary.

Mr. Herrick was called to the chair.

After some time spent in consideration of the memorial, the committee arose and through their chairman reported as follows:

Mr. Speaker:

The committee of the whole have had house memorial No. 5, praying for an appropriation for the erection of a territorial

penitentiary, under consideration, and report the memorial back to the House with the following amendments:

The title to read a memorial and joint resolution.

Also to strike out the words, "breaches of the law," and insert the word "crimes."

Also to strike out the words "many hundred miles distant from our nearest court of justice."

Also strike out the words "being young, and having to fight her way through an hitherto uninhabited country."

Also strike out the last section and insert instead "Be it resolved by the council and house of representatives, that the Secretary of the territory be requested to forward this memorial and joint resolution, to the Hon. S. F. Nuckolls, our Delegate in Congress, and that he be instructed to present the same to Congress, and use his best endeavors to secure the appropriation asked for.

W. HERRICK,

Chairman of Committee.

On motion of Mr. Sheeks the report of the committee was adopted.

On motion of Mr. Haas, the rules were suspended and house bill No. 35, a bill for "an act to provide for cases where officers elect fail to qualify," was taken up and read a third time by title and put upon its passage.

A vote was taken on the passage of the bill.

Ayes—Messrs. Abney, Douglass, Herrick, Haas, Miller, Sheeks, Seabee, Strong, Wilson and Mr. Speaker—10.

Nays—Messrs. Holbrook and Menefee—2.

Bill passed, title agreed to.

On motion of Mr. Sheeks the House adjourned at 3:20 p. m.

L. L. BEDELL,

Chief Clerk of the House.

FORTY-SECOND DAY.

HOUSE OF REPRESENTATIVES, {
November 30th, 1869.

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the chaplain.

Absent at roll call—Messrs. Haas, Menefee, Sheeks and Wilson.

Journal read and approved.

On motion of Mr. Strong there was a call of the House, and absenters sent for.

On motion of Mr. Strong, further proceedings under call of the House were dispensed with.

A message was received from the Council.

Mr. Abney presented the following report:

Mr. Speaker:

Your special committee to whom was referred council bill No. 11, a bill for "an act to establish a fence law," have had the same under consideration, and report it back to the House with the following amendment:

That the words "in Albany county" be inserted after the word "charge," in line three, section three of the bill.

J. C. ABNEY,

Chairman of Committee.

On motion of Mr. Miller, the report with the amendments were adopted.

Mr. Strong moved the bill be recommitted to a committee composed of the delegates from Albany county. Lost.

Mr. Strong presented the following report:

Mr. Speaker:

Your special committee to whom was referred house bill No. 38, a bill for "an act fixing the rate of compensation for members, clerks and other officers of the legislative assembly of Wyoming territory," have had the same under consideration, and report it back to the House with the recommendation that it be referred to a committee of the whole House.

J. C. STRONG,

Chairman of Committee.

On motion of Mr. Miller report adopted.

On motion of Mr. Strong the bill was made a special order for 3 p. m.

Mr. Sheeks introduced house bill No. 39, a bill for "an act to provide for selecting and empaneling jurors."

Mr. Abney moved the rules be suspended and the bill read a first and second time by title and referred. Lost.

The bill was read first time.

Mr. Miller moved the rules be suspended and the bill read a second and third time by title, and put upon its passage. Carried.

Bill read a second time by title.

Mr. Strong offered the following amendment:

"That the words "negroes and mulattoes" be inserted in the "proviso" in the first section of the bill. Adopted.

Mr. Miller offered the following amendment.

That the first section be amended by inserting "members of the legislature" in the enumeration of persons excused from duty as jurors. Lost.

Mr. Sheeks offered the following amendment.

That the clerk be instructed to insert the words "county clerk" instead of "register of deeds." Also insert the word "act" in place of the word "chapter" wherever that word occurs. Adopted.

The bill was read third time by title, and put upon its passage.

A vote was taken on the passage of the bill.

Ayes—Messrs. Abney, Douglass, Herrick, Haas, Holbrook, Menefee, Sheeks, Sebree and Mr. Speaker—9.

Nays—Messrs. Miller and Wilson—2.

Bill passed, title agreed to.

Mr. Miller gave notice that he would on to-morrow or some subsequent day, introduce a bill for "an act to establish the boundary line of Albany county, and for the appointment of officers therein."

Mr. Herrick introduced house bill No. 40, a bill for "an act to establish a territorial wagon road from Sherman to the boundary line of the territory towards the North Park gold mines.

Read first time.

Mr. Abney moved to suspend the rules and read the bill second and third time by title, and put it upon its passage.

Mr. Sheeks moved an amendment, to read the bill second time by title and refer.

Amendment put and carried.

The bill was read second time by title and referred to a special committee composed of the delegates from Albany county.

Mr. Wilson introduced house bill No. 44, a bill for "an act regulating herds and loose stock in Laramie county."

Read first time.

Mr. Miller moved the rules be suspended and the bill read a second and third time by title and put upon its passage.

Mr. Wilson moved an amendment, that the rules be suspended and the bill read a second time by title and referred to a special committee composed of the members from Laramie county.

Amendment put and carried.

The bill was read a second time by title and referred to the special committee.

The following communication was read:

COUNCIL CHAMBER, CHEYENNE, W. T., }
November 29th, 1869.

To The Hon. Speaker of the House of Representatives:

I am instructed by the Council to inform your honorable body that the Council has appointed Messrs. Whitehead, Laycock and

Poole, a committee to confer with the committees appointed by the House, November 27th, in relation to the Governor's message, having reference to books for a territorial library, and on the communication relating to expenses incurred in keeping prisoners.

Respectfully,

EDWARD ORPEN,

Secretary of the Council.

The Speaker instructed the committee on ways and means, and committee on library, to confer with the committee appointed by the Council in relation to the messages of the Governor referred to.

COUNCIL CHAMBER, CHEYENNE, W. T., }
November 29th, 1869.

To The Hon. Speaker of the House of Representatives:

SIR—I am instructed to inform your honorable body, that the committee of conference on house bill No. 23, has reported to the Council, that the conference committees have agreed that the Council recede from all its amendments, except that of striking out the seventh sub-division of section 5, and that the House recedes as to this; which report was adopted by the Council this day.

Respectfully,

EDWARD ORPEN,

Secretary of the Council.

The report of the House committee of conference on the same bill, which laid over several days, was taken up and read.

On motion of Mr. Haas the report of the House committee was adopted.

On motion of Mr. Sheeks the House concurs in the Council amendment.

The bill was ordered to be enrolled.

COUNCIL CHAMBER, CHEYENNE, W. T., }
November 29th, 1869.

Hon. Speaker of the House of Representatives:

SIR—I am instructed by the Council to inform the House, that the Council has refused to concur in House amendments to sections No. 27, 36 and 60, of council bill No. 31, and would respectfully request that the House appoint a committee of conference to meet a similar committee to be appointed by the Council, to act on this bill.

Respectfully,

EDWARD ORPEN,

Secretary of the Council.

The Speaker instructed the committee on ways and means to confer with the committee appointed by the Council.

COUNCIL CHAMBER, CHEYENNE, W. T., }
November 27th, 1869. }

Hon. Speaker of the House of Representatives:

SIR—In my communication to your honorable body, of the 23d inst., in reference to the transmittal of house bill No. 24, a bill for "an act to provide for homesteads in Wyoming territory," I neglected to embody the amendments made by the Council, and in accordance with your communication, herewith transmit the following, asking your concurrence therein.

EDWARD ORPEN,
Secretary of the Council.

Section 1. Where the words one thousand occur, insert therefor fifteen hundred.

On motion of Mr. Strong, amendment not concurred in.

Section 2. Be stricken out.

On motion of Mr. Sheeks amendment not concurred in.

Section 5, line five, after the word "acres" insert "not exceeding one hundred and sixty."

On motion of Mr. Strong amendment concurred in.

Section 6. Strike out the words "separate and apart from her husband."

On motion of Mr. Sheeks amendment concurred in.

Section 8, line two, after the word "homestead," insert the words, "on execution or otherwise, the proceeds of such sale not to exceed fifteen hundred dollars."

Mr. Menefee moved to concur in the amendment to section 8, with the exception of the words "fifteen hundred dollars."

Carried.

Mr. Menefee moved to insert "one thousand dollars," where the words "fifteen hundred dollars" was stricken out. Carried.

COUNCIL CHAMBER, CHEYENNE, W. T., }
November 27th, 1869. }

To the Hon. Speaker of the House of Representatives:

SIR—I am instructed by the Council to transmit the following house bills, passed this day with amendments, asking your concurrence therein. Bills herewith transmitted.

Respectfully,

EDWARD ORPEN,
Secretary of the Council.

House bill No. 29, in the enacting clause insert the words "of the territory of Wyoming."

Section 1. After the word "to," insert in tenth line, the words "them to."

Section 2. In line four, strike out the word "treasurer" and insert the word "auditor."

In fifth line, after the word "warrant" insert the words "upon the treasurer in favor of the board of county commissioners."

Sections 3, 4 and 5 to be stricken out.

The title to read, "an act to provide for criminals, insane and certain other persons."

Also house bill No 32.

Section 3, line eleven, strike out all after the words "notary public."

Section 4, line five, strike out the word "after" and insert the word "as" instead.

Same section, line six, strike out all after the word "good."

Section 5. Stricken out.

Section 6, line one, strike out the word "succeeding."

Section 2, strike out the words "of each branch of the legislative assembly."

Also, wherever the words "and journals" appear in the bill, they be stricken out.

The Council refuse to concur in the passage of the House joint resolution No. 5, relating to the printing of the laws and journals of the first legislative assembly.

On motion of Mr. Strong the House took a recess till 2 p. m.

AFTERNOON SESSION.

House met at 2 p. m.

Speaker in the chair.

Absent at roll call—Messrs. Douglass, Haas, Miller, Sebree and Wilson.

On motion of Mr. Strong absentees were sent for.

On motion of Mr. Strong further proceedings under call of the House were dispensed with.

On motion of Mr. Herrick the House resolved itself into committee of the whole for the consideration of house bill No. 38, a bill for "an act fixing the rates of compensation for the members, clerks and other officers of the legislative assembly."

Mr. Wilson was called to the chair.

After some time spent in consideration of the bill, the committee arose and through their chairman reported as follows.

Mr. Speaker:

The committee of the whole have had house bill No. 38, a bill for "an act fixing the compensation of members, clerks and other officers of the legislative assembly," under consideration, and report that they have amended the same as follows:

Section 3, amended by making the salary of the sergeant at arms eight dollars instead of six; that of the fireman five dollars instead of four, and inserting the words "messenger four dollars" after the words "fireman five dollars."

Section 4, amended so as to conform to the amendments made to section 3, and we recommend the passage of the bill as amended.

P. S. WILSON,

Chairman of Committee.

On motion of Mr. Abney report adopted.

Mr. Strong moved the bill be referred to the committee on engrossed bills. Lost.

Mr. Herrick moved to suspend the rules, and the bill be read a third time by title and put upon its passage. Lost.

The bill was ordered engrossed.

Council amendments to house bill No. 29, a bill for "an act relating to unfortunates, were taken up for consideration.

On motion of Mr. Strong the amendment to the enacting clause, to insert the words "of the territory of Wyoming," was concurred in.

On motion of Mr. Menefee the amendment to section 1, to insert the words "them to" after the word "to" in tenth line was concurred in.

On motion of Mr. Wilson the amendments to section 2, to strike out the word "treasurer" and insert the word "auditor" in fourth line, and to add after the word "warrant" the words "upon the treasurer in favor of the board of county commissioners," was adopted.

On motion of Mr. Miller the striking out of the third, fourth and fifth sections was concurred in.

On motion of Mr. Herrick the amendment to the title, that it read "an act to provide for criminals, insane and certain other persons" was concurred in.

Council amendments to house bill No. 32, were taken up for consideration.

Mr. Miller moved the House do not concur in the amendment to section 3, to strike out all after the words "notary public."

Lost.

Mr. Abney moved the House do not concur. Carried.

On motion of Mr. Douglass the amendment to section 4, line five, to strike out the word "after" and insert instead the word "as" was adopted, also the amendment to same section, line six, to strike out all after the word "and."

On motion of Mr. Menefee the striking out of section 5 was concurred in.

On motion of Mr. Douglass the amendment to section 6, line one, to strike out the word "succeeding" was concurred in.

On motion of Mr. Miller the amendment to section 2, to strike out the words "of each branch of the legislative assembly" was concurred in.

On motion of Mr. Douglass the amendment to the bill, to strike out the words "and journals" wherever they occur, is not concurred in.

The following messages from the Council were read.

COUNCIL CHAMBER, CHEYENNE, W. T., }
November 30th, 1869.

To the Hon. Speaker of the House of Representatives:

SIR—I am instructed to inform the House that the Council has appointed Messrs. Rockwell, Whitehead and Laycock, a committee of conference to meet one from the House, to confer on the differences respecting council bill No. 25, "an act to establish a code of criminal procedure, sections 128 and 206.

Respectfully,

EDWARD ORPEN,
Secretary of the Council.

COUNCIL CHAMBER, CHEYENNE, W. T. }
November, 30th, 1869.

To the Hon. Speaker of the House of Representatives:

SIR—I am instructed by the Council to inform the House that the Council has passed the following bills.

Council bill No. 70, a bill for "an act to give to the women of Wyoming territory the right of suffrage." ✓

Council bill No. 9, a bill for "an act giving liens in certain cases therein named."

Council bill No. 5, a bill for "an act giving liens in certain cases therein named."

Bills herewith transmitted.

Respectfully,

EDWARD ORPEN,
Secretary of the Council.

Council bill No. 5, a bill for "an act giving liens in certain cases therein named," was taken up.

On motion of Mr. Abney the rules were suspended and the bill read first and second time by title, and referred to the committee on judiciary.

Council bill No. 9, a bill for "an act exempting certain property therein named, from seizure and sale on final process," was taken up.

On motion of Mr. Strong the rules were suspended, and the bill read a first and second time by title and referred to the committee on judiciary."

Council bill No. 70, a bill for "an act giving to the women of Wyoming territory the right of suffrage," was taken up.

Read first time.

On motion of Mr. Sheeks the rules were suspended and the bill read a second time by title and referred to the committee of the whole house, and made a special order for 7 p. m.

The joint resolution relating to the location of the capitol of the territory, which laid over under the rules was taken up.

Read second time.

On motion of Mr. Strong the resolution was laid on the table.

House bill No. 36, a bill for "an act to establish a territorial assay office for Wyoming territory," was taken up and read for information.

Mr. Strong moved to lay the bill on the table. Lost.

Mr. Sebree moved the bill be read a third time by title and put upon its passage. Carried.

A vote was taken on the passage of the bill.

Ayes—Messrs. Abney, Douglass, Herrick and Sebree—4.

Nays—Messrs. Holbrook, Haas, Miller, Meunefee, Sheeks, Strong, Wilson and Mr. Speaker—8.

Bill did not pass.

Mr. Herrick moved to adjourn. Lost.

Mr. Haas presented the following reports:

Mr. Speaker:

Your committee on enrolled bills, have examined house bill No. 17, "an act to create the county of Uinta, and report the same to the House correctly enrolled.

HERMAN HAAS,

Chairman of Committee.

Mr. Speaker:

Your committee on engrossed bills have examined house bill No. 11, a bill for "an act to protect settlers on the public lands, and defining the rights of occupying claimants," and report the same correctly engrossed.

H. HAAS.

Chairman of Committee.

Mr. Speaker:

Your committee on engrossed bills have examined house bill No. 21, a bill for "an act regulating the fees of county officers," and report the same correctly engrossed.

H. HAAS,

Chairman of Committee.

On motion of Mr. Sheeks the rules were suspended to allow the committee on judiciary to make the following report:

Mr. Speaker :

Your committee on judiciary, to whom was referred council bill No. 44, a bill for "an act concerning alienation of deeds, of the proof and recording of conveyances and the cancelling of mortgages," have had the same under consideration, and report the same back to the House, and respectfully recommend its passage, with amendments submitted herewith.

BEN SHEEKS,

Chairman of Committee.

Section 2, amended by striking out the words "but the wife shall not be bound by any covenants contained in such joint deed or mortgage."

On motion of Mr. Haas the amendment was adopted.

Section 10. Strike out the word "believes" and insert instead the word "knows."

On motion of Mr. Douglass amendment adopted.

Sections 12, 13, 14, 15, 16 and 17 be stricken out.

On motion of Mr. Douglass amendment adopted.

Section 23. Strike out the word "person" and insert instead the word "personal."

On motion of Mr. Douglass amendment adopted.

Report adopted.

The Speaker appointed Messrs. Sheeks, Douglass and Menefee a committee to confer with a similar committee appointed by the Council to consider the amendments to council bill No. 25, a bill for "an act to establish a code of criminal procedure."

On motion of Mr. Miller the House took a recess till 7 p. m.

EVENING SESSION.

House met at 7 p. m.

Speaker in the chair.

Absent at roll call—Mr. Wilson.

Mr. Douglass moved that the House reconsider its action on council bill No. 70, a bill for "an act granting to the women of Wyoming territory the right of suffrage."

Made a special order for this hour, and that it be referred to a special committee. Carried.

The speaker appointed Messrs. Douglass, Menefee and Abney, such special committee.

Council bill No. 11, a bill for "an act to establish a fence law," was taken up and read for information.

Mr. Herrick moved to lay the bill on the table. Carried.

Mr. Haas presented the following report:

Mr. Speaker :

Your committee on engrossed bills, have examined house bill No. 38, a bill for "an act fixing the compensation of members,

clerks, and other officers of the legislature," and report the same correctly engrossed.

H. HAAS,

Chairman of Committee.

House bill No. 38, a bill for "an act fixing the compensation of members, clerks, &c.," was read for information.

Mr. Sheeks moved the bill be amended so as to make the compensation of the clerks of the judiciary committees, six hundred dollars each instead of three hundred dollars each. Carried.

On motion of Mr. Herrick the bill was read a third time and put upon its passage.

A vote was taken on the passage of the bill.

Ayes—Messrs. Abney, Douglass, Herrick, Holbrook, Haas, Menefee, Miller, Sebree, Wilson and Mr. Speaker—10.

Nays—Messrs. Sheeks and Strong—2.

Bill passed, title agreed to.

On motion of Mr. Herrick the clerk was instructed to forward the bill immediately to the Council, requesting immediate action thereon by their honorable body.

On motion of Mr. Douglass the House reconsidered its previous action on council bill No. 11, a bill for "an act establishing a fence law," which was laid on the table.

On motion of Mr. Douglass the House resolved itself into a committee of the whole for the consideration of the bill.

Mr. Sebree was called to the chair.

After some time spent in consideration of the bill, the committee arose and through their chairman reported as follows:

Mr. Speaker:

The committee of the whole have had council bill No. 11, a bill for "an act to establish a fence law," under consideration, and have amended the same by inserting after the words "Albany county" the words "excepting so much of that county as lies east and north of Dale creek canon," and recommend the passage of the bill as amended.

HOWARD SEBREE,

Chairman of Committee.

Report adopted.

On motion of Mr. Strong the bill was read a third time and put upon its passage.

A vote was taken on the passage of the bill.

Ayes—Messrs. Abney, Herrick, Holbrook and Haas—4.

Nays—Messrs. Douglass, Menefee, Miller, Sheeks, Sebree, Strong, Wilson and Mr. Speaker—8.

The bill did not pass.

On motion of Mr. Sheeks the House adjourned at 3:50 p. m.

L. L. BEDELL,
Chief Clerk of the House.

FORTY-THIRD DAY.

HOUSE OF REPRESENTATIVES, }
December 1st, 1869.

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the chaplain.

Absent at roll call—Messrs. Haas, Menefee, and Sebree.

Messrs. Haas and Menefee were absent on committee duty.

Journal read and approved.

Mr. Wilson presented a petition signed by D. McLaughlin and several other members of the bar of Cheyenne, asking that at least three and not more than four general terms of the district court of the first judicial district shall be held in each year.

Mr. Haas presented the following report:

Mr. Speaker:

Your committee on engrossed bills, have examined house bill No. 26, a bill for "an act establishing a school law," and the memorial and joint resolution to congress, "praying for the appropriation of money for the erection of a territorial penitentiary," and report the same correctly engrossed.

H. HAAS,
Chairman of Committee.

Mr. Speaker:

Your committee on enrolled bills, have examined house bill No. 31, a bill for "an act regulating proceedings on habeas corpus," and report the same back to the House correctly enrolled.

HERMAN HAAS,
Chairman of Committee.

Mr. Miller presented the following report:

Mr. Speaker:

Your select committee to whom was referred house bill No. 40, a bill for "an act to establish a territorial road from Sherman

to the boundary line of the territory, in the direction of the North Park gold mines," have had the same under consideration and report the same back to the House, recommending that section 3 of the bill be stricken out, and the bill passed as amended.

LOUIS MILLER,

Chairman of Committee.

On motion of Mr. Miller report adopted.

Mr. Miller gave notice that he would on some subsequent day introduce a bill for "an act to establish the boundary lines of Carbon county, and for the appointment of officers therein."

Mr. Miller moved the House reconsider its action on council bill No. 11, a bill for "an act to establish a fence law," and that it be taken up for consideration. Carried.

On motion of Mr. Miller the rules were suspended and the bill was read a third time and put upon its passage.

A vote was taken on the passage of the bill.

Ayes—Messrs. Abney, Douglass, Herrick, Holbrook, Haas, Miller, Sheeks, Sebree, Strong, Wilson and Mr. Speaker—11.

Nays—Mr. Menefee—1.

Bill passed, title agreed to.

Mr. Sheeks introduced house bill No. 42, a bill for "an act relating to arbitrations and arbitrators."

Read first time.

Mr. Miller moved the rules be suspended and the bill read a second and third time by title and put upon its passage. Carried.

A vote was taken on the passage of the bill.

Ayes—Messrs. Abney, Herrick, Holbrook, Haas, Miller, Menefee, Sheeks, Sebree, Strong, Wilson and Mr. Speaker—11.

Nays—Mr. Douglass—1.

On motion of Mr. Wilson the rules were suspended to allow the committee on judiciary to make the following report:

Mr. Speaker :

Your committee on judiciary, to whom was referred council bill No. 26, a bill for "an act to establish the courts and define the jurisdiction of justices of the peace," have had the same under consideration, and report it back to the House recommending its passage with the following amendments.

BEN SHEEKS,

Chairman of Committee.

On motion of Mr. Douglass the report was adopted.

On motion of Mr. Sheeks the bill with amendments was made a special order for 2 p. m.

House bill No. 26, a bill for "an act to establish a school law for Wyoming territory was taken up.

On motion of Mr. Haas the rules were suspended and the bill read a third time by title and put upon its passage.

A vote was taken on the passage of the bill.

Ayes—Messrs. Abney, Douglass, Herrick, Haas, Holbrook, Menefee, Sheeks, Sebree, Strong, Wilson and Mr. Speaker—11.

Nays—Mr. Miller—1.

Bill passed, title agreed to.

The memorial and joint resolution to the congress of the United States, praying for an appropriation for the erection of a territorial penitentiary in Wyoming, was taken up and read third time.

A vote was taken on the passage of the bill.

Ayes—Messrs. Abney, Douglass, Herrick, Haas, Miller, Menefee, Sheeks, Sebree, Strong, Wilson and Mr. Speaker—1.

Nays—Mr. Holbrook—1.

Memorial passed, title agreed to.

House bill No. 21, a bill for "an act regulating the fees of county officers was taken up.

On motion of Mr. Miller the rules were suspended and the bill read a third time by title and put upon its passage.

A vote was had on the passage of the bill.

Ayes—Messrs. Abney, Douglass, Herrick, Haas, Holbrook, Miller, Menefee, Sheeks, Sebree, Strong, Wilson and Mr. Speaker—12.

Nays—None.

Bill passed, title agreed to.

House bill No. 11, a bill for "an act to protect settlers upon the public lands," was taken up, read third time and put upon its passage.

A vote was had on the passage of the bill.

Ayes—Messrs. Abney, Douglass, Herrick, Holbrook, Haas, Menefee, Miller, Sheeks, Sebree, Strong, Wilson and Mr. Speake—12.

Nays—None.

House bill No. 14, a bill for "an act to provide for holding elections in Wyoming territory," was taken up.

On motion of Mr. Wilson the bill was made a special order for 7 p. m. this evening.

Mr. Miller moved to take a recess till 2 p. m. Lost.

On motion of Mr. Sheeks the House reconsidered its action in relation to council bill No. 26, and the bill was taken up and considered in committee of the whole.

After some time spent in consideration of the bill, the committee arose and through their chairman reported as follows:

Mr. Speaker:

The committee of the whole have had council bill No. 26, a bill for "an act to establish the courts and define the jurisdiction

of justices of the peace," under consideration and have adopted the following amendments and recommend its passage as amended.

J. C. ABNEY,

Chairman of Committee.

Section 3, sub-division eight, strike out the words from "proceedings under the act," &c., to "exception."

Section 8, line five, strike out the word "is."

Line ten, strike out the word "by," and insert instead the word "on." Also insert in same line the word "the" between the words "of" and "parties."

Section 21, strike out the words "this section shall not apply to the proceedings for forcible entry and detainer."

Section 22, line five, insert the word "all" before the words "the parties." Also strike out the words "and if there be several defendants, the demand must be due to all of them jointly."

Section 29, add, "or by leaving a copy thereof at his usual place of residence, with some person belonging to the family, of suitable age."

Section 33, strike out the last three lines and insert "costs shall be taxed as in other costs in the suit."

Section 68, line eight, from the last of the section insert after the word "all" the words "costs that have accrued," and strike out the remainder of the section.

Section 70, strike out the words "unless the same shall have been issued after notice of appeal given at the time judgment was rendered, in which case the party ordering the execution shall only be liable for the expense thereof."

Section 72, last line but two, strike out the word "of" and insert word "with" after the word "dispensed."

Section 103, strike out the section and insert instead the words "in no case shall there be more than one change of place of trial allowed."

Section 122, strike out the last word of line five and insert the word "for."

Section 137, line five, after the word "effect," insert the following, "shall deliver the notice to a justice of the peace, and on three days notice to the party in whose favor the execution was issued, the trial of right of property may be had as in other cases."

Provided, That the constable may refuse to retain possession of property claimed by a party, unless the party in whose favor the execution issued shall indemnify the constable for holding the same," and the following strike out, "may summon a jury of six men to try the validity of such claim, and the same proceedings shall be had thereon, with like effect as in case of a claim after levy upon execution."

Section 194, line eleven, strike out the words "United States."

On motion of Mr. Strong the report was adopted, with the amendments.

On motion of Mr. Douglass the House reconsidered its previous action on house bill No. 14, a bill for "an act to provide for holding elections in Wyoming territory," and it was made a special order for 2 p. m.

On motion of Mr. Douglass the House took a recess till 2 p. m.

AFTERNOON SESSION.

House met at 2 p. m.

Speaker in the chair.

Absent at roll call—Messrs. Haas and Sebree.

The speaker announced to the House that he had signed the following acts:

"An act legalizing the organization of the county board of county commissioners for Carter county."

"An act to legalize the assessment and levy of taxes for Laramie county for the year 1869."

"An act adopting the common law of England and certain statutes."

"A memorial and joint resolution to W. W. Belknap, Secretary of War."

"An act regulating the sale of poisons in the territory of Wyoming."

"An act to prevent intermarriage of white person and those of mongolian and negro blood."

"An act to secure the free passage of logs down the several rivers and creeks of this territory."

"An act giving liens to miners and other laborers in mines and coal banks and oil lands."

"An act to organize and establish the territorial treasury department."

"An act to protect the property of telegraph companies."

"An act providing for the appointment of commissioners to take depositions in other states and territories."

"An act to provide for preserving the evidence of the official acts of officers taking acknowledgments, &c."

"An act to provide for the development of the mining resources of the territory."

"An act defining the jurisdiction of justices of the peace in criminal trials and of the proceedings therein."

"Memorial and joint resolution to the secretary of war, praying for the establishment of a place in which to confine prisoners."

"Memorial and joint resolution to congress, praying that the territorial internal revenue may be appropriated by the general government for territorial purposes."

On motion of Mr. Douglass the House resolved itself into a committee of the whole for the consideration of house bill No. 14, a bill for "an act to establish an election law."

Mr. Douglass was called to the chair.

After some time spent in consideration of the bill, the committee arose and through their chairman reported as follows.

Mr. Speaker:

The committee of the whole have had house bill No. 14, under consideration and have amended the same and report it back to the House recommending its passage as amended.

J. N. DOUGLASS,
Chairman of Committee.

On motion of Mr. Herrick report adopted.

Mr. Miller introduced house bill No. 43, a bill for "an act to establish the boundary lines of Albany county, and filling county offices."

Read first time.

On motion of Mr. Miller the rules were suspended and the bill read a second time by title.

On motion of Mr. Miller the word "Benton" wherever it occurred, was stricken out and the word "Carbon" inserted instead.

Mr. Wilson moved the bill be made a special order for this evening at 7 p. m. Lost.

Mr. Douglass moved the rules be suspended and the bill read a third time by title and put upon its passage. Carried.

Mr. Wilson moved further proceedings under call of the House were dispensed with. Carried.

Mr. Wilson moved to adjourn. Lost.

Mr. Herrick moved to take a recess till 7 p. m. Lost.

Mr. Douglass moved the House proceed with the business before it. Carried.

House bill No. 43 was read a third time and put upon its passage.

The question being, shall this bill pass?

Ayes—Messrs. Abney, Douglass, Herrick, Holbrook, Miller, Menefee, Sheeks, Sebree and Mr. Speaker—9.

Nays—Mr. Wilson—1.

Bill passed, title agreed to.

On motion of Mr. Wilson the House took a recess till 7 p. m.

EVENING SESSION.

House met at 7 p. m.

Speaker in the chair.

Absent at roll call—Messrs. Menefee and Wilson.

Mr. Haas presented the following report:

Mr. Speaker:

I have the honor to report that I delivered to his excellency, the Governor, at 3 p. m. this day, for his approval,

“An act to create the county 5f Uinta.”

“An act for the protection of game and fish.”

“An act regulating the proceedings on habeas corpus.”

H. HAAS.

Chairman of Committee.

The following message from the Council were read.

COUNCIL CHAMBER, CHEYENNE, W. T., }
December 1st, 1869.

To the Hon. Speaker of the House of Representatives:

SIR—I am instructed by the Council to inform the House of the passage of the following bills by this body:

Council bill No. 75, a bill for “an act for the protection of owners of timber and saw logs.”

Council bill No. 65, a bill for “an act concerning public roads and highways.”

Council bill No. 71, a bill for “an act to create and regulate corporations.

Council bill No. 4, a bill for “an act to incorporate the city of Cheyenne.”

Council bill No. 72, a bill for “an act concerning executors and administrators, of their appointment to and removal from office.”

Council bill No. 76, a bill for “an act relating to descents and distributions.”

Council bill No. 69, a bill for “an act providing for the retention therein of certain moneys collected in Wyoming territory under the laws of Dakota.”

Council bill No. 65, a bill for “an act relating to attorneys at law.”

Council memorial and joint resolution relative to indians.

Council bill No. 56, a bill for “an act organizing the enrolled and volunteer militia of Wyoming territory.”

Council bill No. 68, a bill for “an act providing for the organization of school districts, schools and for other purposes.”

Council bill No. 64, a bill for “an act concerning jails.”

Council bill No. 62, a bill for “an act limiting the rights of action in certain cases therein named.”

Council bill No. 78, a bill for “an act establishing the judicial districts within the territory of Wyoming, and to provide for the holding of courts therein.”

Council bill No. 79, a bill for “an act providing county officers for Laramie county, to establish the county seat and for other purposes.”

Council bill No. 82, a bill for "an act concerning guardians and wards."

Council bill No. 81, a bill for "an act concerning lunatics and habitual drunkards."

Bills herewith transmitted.

Respectfully,

EDWARD ORPEN,

Secretary of the Council.

Council bill No. 68, a bill for "an act providing for the organization of school districts, schools and for other purposes," was taken up.

On motion of Mr. Sheeks the rules were suspended and the bill read twice by title and referred to the committee on education.

Council bill No. 71, a bill for "an act to create and regulate corporations," was taken up.

On motion of Mr. Sebree the rules were suspended and the bill read twice by title and referred to the committee on Incorporations.

Council bill No. 4, a bill for "an act to incorporate the city of Cheyenne," was taken up.

On motion of Mr. Abney the rules were suspended, and the bill read twice by title and referred to a special committee, composed of the delegates from Laramie county.

Council bill No. 72, a bill for "an act respecting executors and administrators, their appointment to and removal from office," was taken up.

On motion of Mr. Strong the rules were suspended and the bill read twice by title and referred to committee on judiciary.

Council bill No. 64, a bill for "an act concerning jails," was taken up.

On motion of Mr. Sheeks the rules were suspended and the bill read twice by title and referred to the committee on internal improvements.

Council bill No. 78, a bill for "an act establishing the judicial districts within the territory of Wyoming, and to provide for the holding of courts therein," was taken up.

On motion of Mr. Sheeks the rules were suspended, and the bill read twice by title and referred to committee on judiciary.

Council bill No. 81, a bill for "an act concerning lunatics and habitual drunkards," was taken up.

On motion of Mr. Strong the rules were suspended and the bill read twice by title and referred to the committee on judiciary.

Council bill No. 56, a bill for "an act organizing and disciplining the enrolled and volunteer militia of Wyoming territory," was taken up.

On motion of Mr. Abney the rules were suspended and the bill read twice by title, and referred to the committee on military affairs.

Council bill No. 76, a bill for "an act relating to descents and distributions," was taken up.

On motion of Mr. Sheeks the rules were suspended, and the bill read twice by title and referred to committee on judiciary.

Council bill No. 62, a bill for "an act limiting the rights of action in certain cases therein named," was taken up.

On motion of Mr. Sebree the rules were suspended and the bill read twice by title and referred to the committee on Incorporations.

Council bill No. 82, a bill for "an act concerning guardians and wards," was taken up.

On motion of Mr. Sheeks the rules were suspended and the bill read twice by title and referred to the committee on judiciary.

Council bill No. 55, a bill for "an act relating to attorneys at law," was taken up.

On motion of Mr. Sebree the rules were suspended and the bill read twice by title and referred to the committee on judiciary.

Council memorial No. 5, relating to Indian affairs.

Read first time.

On motion of Mr. Menefee the memorial was laid on the table.

Council bill No. 65, a bill for "an act concerning public roads and highways," was taken up.

On motion of Mr. Sheeks the rules were suspended and the bill read twice by title and referred to the committee on territorial affairs.

Council bill No. 75, a bill for "an act for the protection of owners of timber and saw logs," was taken up.

On motion of Mr. Strong the rules were suspended and the bill read twice by title and referred to committee on agriculture.

Council bill No. 69, a bill for "an act providing for the retention therein of certain moneys collected in Wyoming territory under the laws of Dakota," was taken up.

Read first time.

On motion of Mr. Herrick the rules were suspended, and the bill read second and third time by title and put upon its passage.

The question being, shall this bill pass?

Ayes—Messrs. Abney, Douglass, Herrick, Holbrook, Haas, Miller, Menefee, Sebree and Mr. Speaker—9.

Nays—Messrs. Sheeks and Sebree—2.

Bill passed, title agreed to.

Council bill No. 79, a bill for "an act providing county officers for Laramie county, to establish the county seat and for other purposes," was taken up.

On motion of Mr. Menefee the rules were suspended, and the bill read twice by title and referred to a special committee, composed of the members from Laramie county.

On motion of Mr. Strong the House adjourned at 7:30 p. m.

L. L. BEDELL,
Chief Clerk of the House.

FORTY-THIRD DAY.

HOUSE OF REPRESENTATIVES, {
December 2d, 1869. }

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the chaplain.

Absent at roll call—Messrs. Abney and Wilson.

Journal read and approved.

Mr. Miller presented the following report on council bill No. 5.

Mr. Speaker:

Your select committee on internal improvements, to whom was referred council bill No. 65, a bill for "an act concerning public roads and highways," have had the same under consideration, and report the same back to the House, recommending its passage.

LOUIS MILLER,
Chairman of Committee.

On motion of Mr. Haas report adopted.

Mr. Miller presented the following report:

Mr. Speaker:

Your committee on internal improvements, to whom was referred council bill No. 64, a bill for "an act concerning jails," have had the same under consideration, and report it back to the House recommending its passage.

LOUIS MILLER,
Chairman of Committee.

Laid over.

Mr. Haas presented the following report:

Mr. Speaker:

Your committee on engrossed bills, have examined house bill No. 49, a bill for "an act to establish a territorial road from Sherman to the Colorado line in the direction of the North Park

gold mines," and report the same back to the House correctly engrossed.

H. HAAS,

Chairman of Committee.

Mr. Strong presented the following report:

Mr. Speaker:

Your committee on ways and means, to whom was referred council bill No. 33, a bill for "an act concerning county licenses," have examined the same and recommend its passage, with the following amendment:

That in section 6, the words "cheap john" be stricken out.

J. C. STRONG,

Chairman of Committee.

On motion of Mr. Herrick report adopted.

Mr. Miller presented the following report:

Mr. Speaker:

Your committee on territorial affairs, to whom was referred house bill No. 30, a bill for "an act to locate the seat of government of Wyoming territory," have had the same under consideration, and would respectfully recommend that it be referred to a committee of the whole house.

LOUIS MILLER,

Chairman of Committee.

On motion of Mr. Herrick report adopted.

On motion of Mr. Herrick the bill was made a special order for Saturday next at 2 p. m.

Mr. Miller introduced house bill No. 44, a bill for "an act to establish the county of Carbon, and for creating and filling county offices."

Read first time.

On motion of Mr. Herrick the rules were suspended and the bill read a second and third time by title and put upon its passage.

A vote was taken on the passage of the bill.

Ayes—Messrs. Douglass Herrick, Holbrook, Haas, Miller, Menefee, Sheeks, Seabee, Strong and Mr. Speaker—10.

Nays—None.

Council bill No. 44, a bill for "an act concerning alienation of deeds, of the proof of recording of conveyances, and the cancelling of mortgages," was taken up.

Read third time.

A vote was taken on the passage of the bill.

Ayes—Messrs. Douglass, Herrick, Holbrook, Haas, Miller, Menefee, Sheeks, Seabee, Strong and Mr. Speaker—10.

Nays—None.

Bill passed, title agreed to.

Council bill No. 33, a bill for "an act concerning county licenses," was taken up and read for information.

Mr. Herrick offered an amendment to strike out the words "one hundred" in section 21, and insert instead the word "fifty." Lost.

Mr. Miller moved to amend by striking out the words "one hundred" and insert instead the word "sixty." Lost.

Mr. Herrick moved to strike out the words "one hundred," and insert instead the words "the whole receipts of the establishment." Lost.

Mr. Miller moved to strike out the words "one hundred," and insert the word "forty." Carried.

Mr. Strong moved to reconsider the last vote. Carried.

On motion of Mr. Strong the rules were suspended, and the bill read a third time by title, and put upon its passage.

A vote was taken on the passage of the bill.

Ayes—Messrs. Douglass, Holbrook, Menefee, Sheeks, Sebree, Strong, Wilson and Mr. Speaker—8.

Nays—Messrs. Herrick, Haas and Miller—3.

Bill passed, title agreed to.

On motion of Mr. Menefee the House took a recess till 2 p. m.

AFTERNOON SESSION.

House met at 2 p. m.

Speaker in the chair.

Absent at roll call—Messrs. Abney, Haas, Sheeks, Wilson and Menefee.

Messrs. Haas and Menefee were absent on committee duty, Mr. Abney was excused.

Council bill No. 65, a bill for "an act concerning public roads and highways," was taken up and read a third time, and put upon its passage.

The question being, shall this bill pass?

Ayes—Messrs. Douglass, Herrick, Holbrook, Haas, Menefee, Sheeks, Sebree, Strong, Wilson and Mr. Speaker—10.

Nays—None.

Bill passed, title agreed to.

Mr. Sheeks presented the following report:

Mr. Speaker:

Your committee on judiciary, to whom was referred council bill No. 78, a bill for "an act establishing the judicial districts of the territory of Wyoming, and to provide for the holding of courts therein," have had the same under consideration, and report it back to the House with the following amendments.

BEN SHEEKS,

Chairman of Committee.

Section 5, line 26, amend by striking out the word "first" and inserting the word "third;" also strike out the word "February" and insert "March;" also, in line 23 strike out the words "June" and "October," and insert the words "July" and "November."

Section 9, lines 6 and 7, strike out the words "of the several districts," and insert the words "in the third judicial district."

The bill with the amendments was read for information.

Mr. Menefee presented a petition signed by L. Pease and 158 other citizens of Atlantic city and vicinity, praying for the retention of the Hon. J. W. Kingman as presiding judge of the third judicial district; also a petition from Seth Paine and 68 other citizens of Hamilton city and vicinity for the same object.

Read and referred to a special committee composed of the delegates from Carter county.

On motion of Mr. Strong the amendments recommended by the judiciary committee were adopted.

Mr. Miller offered the following amendment: In section 6, line nine, strike out the words "city of Cheyenne," and insert the words "such place as the chief justice shall designate."

Amendment adopted.

Mr. Menefee moved the bill be recommitted to a special committee composed of the members from Carter county. Carried.

Mr. Strong moved a reconsideration of the last vote, and the bill be recommitted to the proper committee. Carried.

The bill was recommitted to the committee on judiciary.

Mr. Haas presented the following report:

Mr. Speaker:

Your committee on enrolled bills have examined house bill No. 23, a bill for "an act to regulate divorces and alimony, and report the same back to the House properly enrolled.

H. HAAS.

Chairman of Committee.

Mr. Menefee presented the following report:

Mr. Speaker:

Your committee on incorporations, to whom was referred council bill No. 47, a bill for "an act to restrict gaming," have had the same under consideration, and report the same back, recommending its passage with amendments.

J. W. MENEFEE,

Chairman of Committee.

The amendments to the bill were taken up.

Section 1, ninth line, strike out the words "lansquinet, ronde and keno," and the words "vingt-un, commonly known as twenty-one" be inserted.

On motion of Mr. Douglass amendment adopted.

On motion of Mr. Miller the bill was laid on the table.

The following message was received:

EXECUTIVE DEPARTMENT, CHEYENNE, W. T., }
December 2d, 1869.

To the Hon. Speaker of the House of Representatives:

SIR—I have the honor to inform the house of representatives that I have approved,

“An act for the protection of game and fish in the territory.”

“An act to create the county of Uinta.”

“An act regulating proceedings on habeas corpus.”

Very respectfully,

J. A. CAMPBELL,

Mr. Sheeks presented the following report:

Mr. Speaker :

Your committee on judiciary, to whom was recommitted council bill No. 78, a bill for “an act establishing the judicial districts within the territory of Wyoming, and to provide for the holding of courts therein, have had the same under consideration, and report it back with a recommendation that it do pass as amended.

BEN SHEEKS,

Chairman of Committee.

On motion of Mr. Strong report adopted.

Mr. Miller moved a call of the house.

On motion of Mr. Strong further proceedings under call of the House were dispensed with.

Mr. Strong moved the bill be read a third time. Lost.

On motion of Mr. Wilson the rules were suspended and the bill read a third time by title.

Mr. Miller moved to lay the bill on the table. Lost.

A vote was had on the passage of the bill.

Ayes—Messrs. Holbrook, Haas, Sheeks, Sebree, Strong, Wilson and Mr. Speaker—7.

Nays—Messrs. Douglass, Herrick, Miller and Menefee—4.

On motion of Mr. Miller the House took a recess till 7 p. m.

EVENING SESSION.

House met at 7 p. m.

Speaker in the chair.

Absent at roll call—Messrs. Menefee and Wilson.

Mr. Menefee was excused.

The following message was received and acted on.

COUNCIL CHAMBER, CHEYENNE, W. T., }
December 2d, 1869.

To the Hon. Speaker of the House of Representatives:

SIR—I am instructed by the Council to inform the House of the passage of house bill No. 38, a bill for "an act fixing the compensation of members, clerks and other officers of the legislative assembly of Wyoming territory, with enclosed amendments.

Respectfully,

EDWARD ORPEN,

Secretary of the Council.

On motion of Mr. Miller the amendments were taken up for consideration.

Section 1, to read in place of "seven dollars" for members of each House, insert "six dollars."

On motion of Mr. Abney amendment concurred in.

Also insert "twelve dollars" instead of "fourteen dollars" for president of the council and speaker of the house.

On motion of Mr. Miller amendment concurred in.

Also in line ten, before the word "session" insert the word "present."

On motion of Mr. Abney amendment concurred in.

Also in line 15, after the word "territory," strike out the remainder of the section.

On motion of Mr. Abney amendment concurred in.

Section 2, line eleven, after the words "signed by," insert the words "the speaker of the house or president of the council" for members of their respective houses, and by the clerk of the house or the secretary of the council for the speaker or president respectively.

On motion of Mr. Miller amendment concurred in.

Section 3, line seven, insert the word "ten" in place of "twelve."

On motion of Mr. Miller amendment concurred in.

Also in line thirteen, insert the word "five" instead of "eight."

Mr. Abney moved the House do not concur in the amendment.
Lost.

On motion of Mr. Miller amendment concurred in.

Also in line fourteen, strike cut the word "fireman" and insert "foreman."

On motion of Mr. Sheeks amendment concurred in.

Also in same line strike out the word "five" and insert the word "four."

On motion of Mr. Herrick amendment concurred in.

Also in line twenty-three, strike out the words "twelve hundred" and insert "eight hundred."

On motion of Mr. Sebree amendment concurred in.

After section 3, add "three hundred and twelve dollars for clerical services of John Adams for forty days."

On motion of Mr. Abney amendment concurred in.

Section 4, line four, strike out the word "twelve" and insert "ten."

On motion of Mr. Sebree amendment concurred in.

Also in line eleven strike out the word "eight" and insert instead the word "five."

On motion of Mr. Abney amendment concurred in.

Also in line sixteen, strike out the word "five" and insert "four."

On motion of Mr. Haas amendment concurred in.

Section 5, line three, after the word "by," strike out the words "chief clerk" and insert instead the word "secretary."

On motion of Mr. Douglass amendment concurred in.

Also in line seventeen, strike out the word "respectively."

On motion of Mr. Douglass amendment concurred in.

Also in last line add the words "for such services."

On motion of Mr. Douglass amendment concurred in.

In line fifteen, strike out the word "fireman" and insert "foreman."

On motion of Mr. Douglass amendment concurred in.

Mr. Sheeks presented the following report.

Mr. Speaker:

Your committee on judiciary, to whom was referred council bill No. 76, a bill for "an act relating to descents and distributions," and council bill No. 82, a bill for "an act concerning guardians and wards," have had the same under consideration, and report them back to the house recommending their passage.

BEN SHEEKS,

Chairman of Committee.

On motion of Mr. Douglass report adopted.

On motion of Mr. Sebree there was a call of the House.

Mr. Haas moved to adjourn. Lost.

The sergeant-at-arms was dispatched for absentees.

Mr. Sebree moved to adjourn. Lost.

On motion of Mr. Douglass the bills reported back by the judiciary committee were taken up.

Council bill No. 76, a bill for "an act relating to descents and distributions," was read third time and passed, title agreed to.

Ayes—Messrs. Abney, Douglass, Herrick, Holbrook, Haas, Miller, Menefee, Sheeks, Sebree, Strong, Wilson and Mr. Speaker—12.

Nays—None.

Council bill No. 82, a bill for "an act relating to guardians and wards," was read third time and put upon its passage.

The question being, shall this bill pass?

Ayes—Messrs. Abney, Douglass, Herrick, Haas, Holbrook, Miller, Menefee, Sheeks, Seabee, Strong, Wilson and Mr. Speaker—12.

Nays—None.

Bill passed, title agreed to.

Mr. Abney presented the following report:

Mr. Speaker:

The minority of your select committee to whom was referred council bill No. 79, a bill for "an act to provide county officers for Laramie county, to establish the county seat of said county, and for other purposes," have had the same under consideration, and report it back and recommend that it do pass.

J. C. ABNEY,

Chairman of Committee.

Mr. Wilson presented the following report:

Mr. Speaker:

As a member of a select committee, consisting of the delegates from Laramie county, having under consideration council bill No. 79, a bill for "an act to establish the county seat of Laramie county, and to provide for county officers therein, and for other purposes," I have to recommend the name of C. C. Furley in place of T. J. Carr, for Sheriff.

P. S. WILSON,

Member of Committee.

On motion of Mr. Douglass the house resolved itself into committee of the whole for the consideration of council bill No. 79.

Mr. Herrick in the chair.

After some time spent in consideration of the bill, the committee arose and through their chairman reported as follows:

Mr. Speaker:

The committee of the whole have had council bill No. 79, a bill for an act to provide county officers for Laramie county, and for other purposes," under consideration, and have amended the bill by substituting the name of T. J. Carr in place of Edward Orpen, and by filling the first blank with the name of S. H. Winsor, the second blank with the name of H. P. Peck, the third blank with the name of Frank Gates, the fourth blank with the name of Gibson Clark, and by substituting the name of A. G.

Mead in place of that of James Allen, and report progress and ask leave to sit again.

W. HERRICK,

Chairman of Committee.

On motion of Mr. Strong report adopted.

On motion of Mr. Douglass the house adjourned at 8:45 p. m.

L. L. BEDELL,

Chief Clerk of the House.

FORTY-FOURTH DAY.

HOUSE OF REPRESENTATIVES, }
December 3d, 1869. }

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the chaplain.

Absent at roll call—Messrs. Abney and Wilson.

Journal read and approved.

Mr. Sheeks presented the following report:

Mr. Speaker:

Your committee on judiciary, to whom was referred council bill No. 55, a bill for "an act relating to attorneys at law," also council bill No. 81, a bill for "an act concerning lunatics and habitual drunkards," have had the same under consideration and report them back to the House recommending their passage, with the following amendments:

BEN SHEEKS,

Chairman of Committee.

Council bill No. 55, section 6, strike out all of the section after the word "reside," in line twelve.

On motion of Mr. Herrick amendment adopted.

Section 10, strike out all of the section after the word "therein," fourth line.

On motion of Mr. Herrick amendment adopted.

Amend the enacting clause.

On motion of Mr. Miller amendment adopted.

Council bill No. 81, section 1, line two, insert the word "court" after the word "probate."

On motion of Mr. Miller amendment adopted.

Section 7, line five, strike out the remainder of the section after the word "had."

- On motion of Mr. Miller amendment adopted.
Section 33, last line, strike out the word "criminal."
On motion of Mr. Douglass amendment adopted.
Section 45, add the words "its passage."
On motion of Mr. Miller amendment adopted.
Mr. Sebree presented the following report:

Mr. Speaker :

Your committee on agriculture, to whom was referred council bill No. 8, a bill for "an act relating to estrays in Wyoming territory," have had the same under consideration, and report it back, recommending its passage with the following amendments.

HOWARD SEBREE,

Chairman of Committee.

Section 1, strike out all after the word "person," in line one, to and including the word "thereof," in line four, and insert instead the words, "owning and possessing land in this territory." Also strike out the words "estrays for Wyoming territory," at commencement of bill. Also amend the title by adding the words "a bill for," before the words "an act."

On motion of Mr. Sebree amendment adopted.

Mr. Abney presented the following report:

Mr. Speaker :

Your committee on military affairs, to whom was referred council bill No. 56, a bill for "an act to organize and discipline the enrolled and volunteer militia of Wyoming territory," have had the same under consideration, and report it back to the house recommending its passage.

J. C. ABNEY,

Chairman of Committee.

On motion of Mr. Miller report adopted.

The report of the committee on internal improvements, in relation to council bill No. 64, relating to jails, which laid over, was taken up and adopted.

Mr. Strong presented the following report:

Mr. Speaker :

Your committee on ways and means, to whom was referred the communication of his excellency the Governor, in relation to convicts in this territory, and the accompanying documents, have examined the same, and beg leave to report, that in our opinion there should be appropriated out of the territorial treasury, the sum of seven hundred and fifty dollars, to defray the expense of the transportation of prisoners already convicted, and that there be appropriated the sum of thirty-five hundred dollars to

defray the probable expenses of transporting prisoners from this territory to Detroit House of correction for the ensuing two years.

J. C. STRONG,

Chairman of Committee.

On motion of Mr. Douglass report adopted.

Mr. Wilson presented the following report:

Mr. Speaker:

The committee consisting of delegates from Laramie county, having under consideration council bill No. 4, a bill for "an act incorporating the city of Cheyenne," report it back to the house, recommending its passage after striking out section 25.

P. S. WILSON,

Chairman of Committee,

On motion of Mr. Wilson report adopted.

Mr. Wilson presented the following report:

Mr. Speaker:

Your committee on education, to whom was referred council bill No. 68, a bill for "an act organizing school districts, schools, and for other purposes," report the same back to the house, recommending that the bill lay over for future consideration.

P. S. WILSON,

Chairman of Committee.

On motion of Mr. Sheeks report adopted, and further consideration of the bill postponed.

Mr. Douglass introduced the following resolution:

Resolved, That no person shall be competent to fill any county office unless, he shall have been a resident of the county for thirty days previous to his appointment.

On motion of Mr. Abney adopted.

Mr. Strong introduced the following joint resolution:

Be it Resolved, By the house of representatives the council concurring, that a sum of money, not to exceed seven hundred and fifty dollars be, and the same is hereby appropriated out of any money in the territorial treasury, not otherwise appropriated, to defray the expense incurred in transporting prisoners from the territory of Wyoming to the house of correction at Detroit, Michigan.

On motion of Mr. Herrick the rules were suspended and the joint resolution read a second and third time and passed.

Ayes—Messrs. Abney, Herrick, Holbrook, Haas, Miller, Menefee, Sheeks, Sebree, Strong, Wilson and Mr. Speaker—11.

Nays—None.

Mr. Strong gave notice that he would on to-morrow, introduce a bill for "an act to provide county officers for Uinta county."

On motion of Mr. Miller the house reconsidered its previous action on council bill No. 47, a bill for "an act to restrict gaming."

Mr. Haas presented the following report:

Mr. Speaker:

Your committee on enrolled bills have examined house bill No. 38, a bill for "an act fixing the compensation of members, clerks and other officers of the legislature," and report the same correctly enrolled.

H. HAAS.

Chairman of Committee.

Council bill No. 8, a bill for "an act relating to estrays," was taken up.

On motion of Mr. Sebree the rules were suspended and the bill read a third time by title and put upon its passage.

A vote was taken on the passage of the bill.

Ayes—Messrs. Abney, Holbrook, Haas, Miller, Menefee, Sebree, Strong, Wilson and Mr. Speaker—9.

Nays—Messrs. Douglass and Sheeks—2.

Bill passed, title agreed to.

Council bill No. 56, a bill for "an act to organize and discipline the enrolled and volunteer militia of Wyoming," was taken up and read for information.

On motion of Mr. Herrick the rules were suspended, and the bill read a third time by title, and put upon its passage.

A vote was taken on the passage of the bill.

Ayes—Messrs. Abney, Herrick, Strong and Wilson—4.

Nays—Messrs. Douglass, Holbrook, Haas, Menefee, Sheeks, Sebree and Mr. Speaker—7.

Bill did not pass.

On motion of Mr. Strong the House took a recess till 2 p. m.

AFTERNOON SESSION.

House met at 2 p. m.

Speaker in the chair.

Absent at roll call—Messrs. Herrick, Sebree and Wilson.

Council bill No. 81, a bill for "an act concerning lunatics and habitual drunkards," was taken up.

Read third time and put upon its passage.

The question being, shall this bill pass?

Ayes—Messrs. Abney, Herrick, Miller, Menefee, Sheeks, Sebree, Strong and Mr. Speaker—8.

Nays—Messrs. Douglass and Holbrook—2.

Bill passed, title agreed to.

Council bill No. 64, a bill for "an act concerning jails," was taken up and read for information.

Mr. Sheeks moved section 13, line 10, be amended by striking out the word "ten" and inserting instead the word "five."
Carried.

A vote was taken on the passage of the bill.

Ayes—Messrs. Abney, Herrick, Holbrook, Haas, Menefee, Sheeks, Sebree, Strong, Wilson and Mr. Speaker—20.

Nays—Messrs. Douglass and Miller—2.

Bill passed, title agreed to.

Council bill No. 55, a bill for "an act relating to attorneys at law," was taken up.

On motion of Mr. Herrick the rules were suspended and the bill read a third time by title and put upon its passage.

A vote was taken on the passage of the bill.

Ayes—Messrs. Abney, Herrick, Holbrook, Haas, Miller, Menefee, Sheeks, Sebree, Strong, Wilson and Mr. Speaker—11.

Nays—Mr. Douglass—1.

Bill passed, title agreed to.

Council bill No. 47, a bill for "an act to restrict gaming," was taken up.

On motion of Mr. Douglass the rules were suspended and the bill read a third time by title and put upon its passage.

A vote was taken on the passage of the bill.

Ayes—Messrs. Abney, Douglass, Herrick, Menefee, Sheeks, Strong, Wilson and Mr. Speaker—8

Nays—Messrs. Holbrook, Haas, Miller and Sebree—4.

Bill passed, title agreed to.

Council bill No. 4, a bill for "an act to incorporate the city of Cheyenne," was taken up and read third time and put upon its passage.

The question being, shall this bill pass?

Ayes—Messrs. Abney, Douglass, Herrick, Holbrook, Menefee, Miller, Sheeks, Sebree, Strong, Wilson and Mr. Speaker—11.

Nays—Mr. Haas—1.

Bill passed, title agreed to.

Council bill No. 75, a bill for "an act providing county officers for Laramie county, and for other purposes," was taken up.

Mr. Abney moved the bill be made a special order for 7 p. m.
Lost.

On motion of Mr. Wilson the House resolved itself into committee of the whole for the consideration of the bill.

Mr. Herrick in the chair.

After some time spent in consideration of the bill, the committee arose and through their chairman reported as follows:

Mr. Speaker:

The committee of the whole have had council bill No. 79 under consideration, and have amended the same as follows:

Section 1, by striking out the word "first" and inserting instead the word "second."

Also by striking out the name of "Charles L. Howell," and inserting instead the name of William Rowland," and recommend the passage of the bill as so amended.

WM. HERRICK,

Chairman of Committee.

On motion of Mr. Wilson report adopted.

On motion of Mr. Wilson the rules were suspended and the bill read a third time by title and put upon its passage.

A vote was had upon the passage of the bill.

Ayes—Messrs. Abney, Douglass, Herrick, Haas, Holbrook, Menefee, Sheeks, Sebree, Strong, Wilson and Mr. Speaker—11.

Nays—None.

Bill passed, title agreed to.

Mr. Miller moved that the chief clerk be instructed to overhaul the journal of the House, and find out what bills have been introduced, what disposition has been made of them, and what bills are awaiting the action of a conference committee.

Also what bills from the Council are now in the hands of the committees of the House, and report to the Speaker to-morrow morning. Carried.

Mr. Haas presented the following report:

Mr. Speaker:

I would respectfully report that I have this day at 2:30 p. m., presented to his excellency the Governor, the following acts for his approval.

"An act fixing the compensation of the members, clerks and other officers of the legislative assembly of Wyoming territory."

"An act to regulate divorces and alimony."

H. HAAS,

Chairman of Committee.

Mr. Sebree presented the following report:

Mr. Speaker:

Your committee on agriculture, to whom was referred council bill No. 75, a bill for "an act for the protection of owners of timber and saw logs in this territory," have had the same under consideration, and report it back to the House recommending its passage.

H. SEBREE,

Chairman of Committee.

On motion of Mr. Miller report adopted.

Council bill No. 75 was taken up and read third time and put upon its passage.

A vote was taken on the passage of the bill.

Ayes—Messrs. Abney, Herrick, Haas, Holbrook, Miller, Menefee and Seb ce—7.

Nays—Messrs. Douglass, Sheeks, Strong, Wilson and Mr. Speaker—5.

Bill passed, title agreed to.

The following messages were received, and on motion of Mr. Douglass the House proceeded to the consideration of them.

COUNCIL CHAMBER, CHEYENNE, W. T., }
December 3d, 1869.

To the Hon. Speaker of the House of Representatives:

SIR—I am instructed to inform your honorable body, that the Council refuses to concur in your amendments to council bill No. 11, to insert the words Albany county in the title of said bill, and respectfully request that a committee of conference be appointed to meet a similar committee from the Council.

Respectfully,

EDWARD ORPEN,
Secretary of the Council.

The Speaker appointed Messrs. Douglass, Sheeks and Miller, the committee asked for.

COUNCIL CHAMBER, CHEYENNE, W. T., }
December 3d, 1869.

To The Hon. Speaker of the House of Representatives:

SIR—I am instructed to inform the House that the Council has passed council bill No. 20, a bill for "an act creating county officers, and defining the duties appertaining thereto."

Bill herewith transmitted.

Respectfully,

EDWARD ORPEN,
Secretary of the Council.

The bill was taken up.

On motion of Mr. Sheeks the rules were suspended and the bill read twice by title and referred to the committee on counties.

COUNCIL CHAMBER, CHEYENNE, W. T., }
December 2d, 1869.

Hon. Speaker of the House of Representatives:

SIR—I am instructed to inform the House that the Council declines to recede from its amendments to house bill No. 24, a

bill for "an act providing for homesteads in Wyoming territory," and requests the appointment of a committee of conference to consider the amendments.

Respectfully,

EDWARD ORPEN,

Secretary of the Council.

The Speaker appointed Messrs. Herrick, Strong and Abney such committee.

COUNCIL CHAMBER, CHEYENNE, W. T. }
December, 2d, 1869.

To the Hon. Speaker of the House of Representatives:

SIR—I am instructed to inform the House that the Council passed the following House bills with the amendments herewith transmitted.

House bill No. 43, a bill for "an act establishing the boundary lines of Albany county," and for the appointment of officers therein."

House bill No. 11, a bill for "an act for the protection of settlers upon the public lands, and defining the rights of occupying claimants."

Respectfully,

EDWARD ORPEN,

Secretary of the Council.

The following amendments to house bill No. 43, were taken up.

Strike out the words "and ex-officio justice of the peace," after the words probate judge.

On motion of Mr. Douglass amendment concurred in.

When the name of "J. Kinney" occurs, strike out, and insert instead, "R. S. Kinney.

On motion of Mr. Miller amendment concurred in.

Also strike out section 3.

On motion of Mr. Douglass amendment concurred in.

The bill was ordered to be enrolled.

The council amendments to house bill No. 11, "to strike out section 3," was taken up.

On motion of Mr. Menefee the house refuse to concur in the amendment, and the clerk was instructed to inform the council of the action of the house.

Mr. Sheeks presented the following report:

Mr. Speaker:

Your committee on judiciary, to whom was referred council bill No. 72, a bill for "an act relating to executors and administrators, of their appointment to and removal from office," have

had the same under consideration, and report it back, recommending its passage, with the following amendments.

BEN SHEEKS,

Chairman of Committee.

Section 116, line three, strike out the word "they" and insert the word "it" instead.

On motion of Mr. Strong amendment adopted.

Section 151, lines nine and ten, strike out the words "debts due the territory."

Line ten, strike out word "fourth."

On motion of Mr. Douglass amendment adopted.

Section 193, line four, before the word "good" insert the word "no."

On motion of Mr. Strong amendment adopted.

Add to the last clause of the bill, the words, "the first day of January, one thousand eight hundred and seventy."

On motion of Mr. Strong amendment adopted.

On motion of Mr. Strong the rules were suspended, and the bill read a third time by title and put upon its passage.

A vote was taken on the passage of the bill.

Ayes—Messrs. Abney, Douglass, Herrick, Holbrook, Haas, Menefee, Sheeks, Sebree Strong, Wilson and Mr. Speaker—11.

Nays—Mr. Miller—1.

Bill passed, title agreed to.

The following communications were read.

EXECUTIVE DEPARTMENT, CHEYENNE, W. T., }
December 2d, 1869.

HON. S. M. CURRAN,

Speaker of the House of Representatives:

SIR—I have the honor to transmit herewith a copy of extract from general instructions, U. S. Treasury Department, regulating disbursements in the territories for legislative expenses.

By the organic act of Wyoming, the members of its legislature are entitled to four dollars per diem, instead of three as stated in the within instructions.

Very respectfully

Your obedient servant,

EDWARD M. LEE.

Secretary of the Territory.

[COPY.]

TREASURY DEPARTMENT, COMPTROLLER'S OFFICE, }
Washington, D. C. }

TO EDWARD M. LEE,

Secretary of Wyoming Territory:

Your disbursements on account of the legislative assembly will be divided as follows:

1st. Per diem and mileage of members of the legislative assembly. The per diem of a member dates from the day he is sworn in as such. So if a member does not appear to take his seat until after the first day of the session, he can only be paid from the day he so appears.

No deduction will be made when, after that day he is unable to attend the session in consequence of sickness. But where a member shall be absent from the session for several days, or for the remainder of the session, except for this cause, or such other as shall hereafter be specified, whether it be with leave or not, his pay for the time he shall be so absent will be deducted, and the presiding officer, in the certificate he shall make to you relative to the attendance of such member, will so specify it. The law governing the matter of this expense is to plain to admit of any doubt as to its interpretation and meaning. The three dollars (\$3) per day is not attached to the office while held as a sinecure, but it is expressly given as compensation for, and its payment made dependent upon the attendance of the member. Any departure from the requirements of the law in this particular, would be alike injurious to the interest of the United States, and a speedy and prompt discharge of the public business of the territory. The certificate of the presiding officer before referred to, will not be given upon each case separately, but written below the roll showing the amount of per diem and mileage due all the members of each house respectively, in the manner shown by the blank herewith, marked Abstract A. Voucher.

The chief clerk of each house, who will make up the roll from the journal and certificates of election in his charge, will join the presiding officer in the certificate. These rolls when thus certified, become your sufficient warrant for the payment made upon this account, liable, however, to correction by you in an error of fact of this character: A certain number of days may be stated to intervene between one date and another specified; if upon examination, which should always be made, you find the number to actually differ from that stated, you will pay according to the number actually existing, and not by the other.

Respectfully yours,

(Signed)

R. W. TAYLOR,

Comptroller.

The Speaker signed the following acts:

"An act prescribing rules and regulations for the execution of the trust arising under the act of congress entitled an act for the relief of inhabitants of cities and towns upon the public lands."

"An act to protect married women in their separate property, and the enjoyment of the fruit of their labors."

"An act to provide for the recording of deeds, mortgages, bonds, contracts, agreements, &c."

"An act legalizing the acts of A. G. Turner and his deputies as register of deeds in Carter county."

"An act fixing the compensation of members, clerks and other officers of the legislative assembly of Wyoming."

"An act to regulate divorces and alimony."

On motion of Mr. Herrick the previous action of the house in relation to the council amendment to house bill No. 24, a bill for "an act providing for homesteads in Wyoming territory," was reconsidered and the amendments were concurred in.

The bill was ordered to be enrolled.

On motion of Mr. Herrick the use of the hall of the house of representatives was given to the Sergeant-at-arms for this evening.

On motion of Mr. Miller the house adjourned at 4 p. m.

L. L. BEDELL,

Chief Clerk of the House.

FORTY-FOURTH DAY.

HOUSE OF REPRESENTATIVES, }
December 4th, 1869.

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the chaplain.

Absent at roll call—Messrs. Abney and Wilson.

Journal read and approved.

Mr. Sheeks presented the following reports:

Mr. Speaker:

Your committee on judiciary, to whom was referred council bill No. 5, a bill for "an act to give liens in certain cases therein named," have had the same under consideration, and report it back to the house, recommending its passage.

BEN SHEEKS,

Chairman of Committee.

On motion of Mr. Miller report adopted.

Mr. Speaker:

Your committee of conference appointed to confer with a similar committee from the council, to take under consideration the matters of difference between the two houses in relation to council bill No. 25, a bill for "an act to establish a code of criminal procedure," have to report that the committees have agreed that the house adhere to its amendments.

BEN SHEEKS,

Chairman of Committee.

Mr. Douglass presented the following report:

Mr. Speaker:

Your special committee to whom was referred council bill No. 70, a bill for "an act to give to the women of Wyoming the right of suffrage," have had the same under consideration, and report it back to the house, recommending its passage.

J. N. DOUGLASS,

Chairman of Committee.

On motion of Mr. Abney report adopted.

The chief clerk made his report in answer to the motion of Mr. Miller, of the previous day, showing the number of bills introduced by the house, and the disposition that had been made of them.

Mr. Sheeks presented the following report.

Mr. Speaker:

The committee of conference appointed to consider the differences between the two houses in relation to house bill No. 18, a bill for "an act for the protection of railroad employees" have to report that the house committee recommend the adoption of the council amendment to the enacting clause, and that the council committee agreed to recommend that the council recede from its amendment to section 1.

BEN SHEEKS,

Chairman of Committee.

On motion of Mr. Herrick report adopted.

The following message was received:

COUNCIL CHAMBER, CHEYENNE, W. T., }
December 3d, 1869. }

To The Hon. Speaker of the House of Representatives:

SIR—I am instructed to inform the House of the passage of council bill No. 87, a bill for "an act to organize the county of

Sweetwater, and to provide for the appointment of officers therein."

Bill herewith transmitted.

Respectfully,

EDWARD ORPEN,

Secretary of the Council.

Mr. Sebree presented the following report:

Mr. Speaker:

Your special committee to whom was referred house bill No. 8, a bill for "an act to encourage the growth of fruit, shade and forest trees," have had the same under consideration, and report it back to the house, recommending its passage with the following amendments.

HOWARD SEBREE,

Chairman of Committee.

After the word "trees" in line 18, insert the words "planted or transplanted, or grown by himself or his assignors or grantors."

On motion of Mr. Douglass amendment adopted.

Council bill No. 87, a bill for "an act organizing the county of Sweetwater," was taken up.

Read first time.

On motion of Mr. Sheeks the rules were suspended and the bill read a second time by title, and referred to a special committee, composed of the members from Carter county, and the member at large.

Council bill No. 5, a bill for "an act giving liens in certain cases therein named," was taken up and read for information.

Mr. Strong moved to amend by inserting the word "money" after the word "material," in line three, section 1. Lost.

A message was received from the council.

Mr. Sheeks moved the further reading of council bill No. 5, be postponed and the message from the council be taken up. Lost.

Mr. Wilson moved the house take a recess till 2 p. m. Lost.

On motion of Mr. Douglass the house resolved itself into committee of the whole for the consideration of council bill No. 5.

Mr. Douglass was called to the chair.

After some time spent in consideration of the bill, the committee arose, and through their chairman reported as follows:

Mr. Speaker:

The committee of the whole have had council bill No. 5, a bill for "an act giving liens in certain cases," under consideration and have amended the same as follows:

By striking out the word "recorder" wherever it occurs in the bill, after the word "county," and inserting instead the word "clerk," and by filling the blank in section 18 with the word "twelve," and recommend the passage of the bill as so amended.

J. N. DOUGLASS,

Chairman of Committee.

On motion of Mr. Herrick the report was adopted.

Mr. Strong moved to take a recess till 2 p. m. Lost.

On motion of Mr. Sebree, Mr. Strong was excused.

On motion of Mr. Sebree the House took a recess till 2 p. m.

AFTERNOON SESSION.

House met at 2 p. m.

Speaker in the chair.

Absent at roll call—Messrs. Abney, Miller, Menefee, Sebree and Wilson.

On motion of Mr. Haas the sergeant-at arms was dispatched for absentees.

On motion of Mr. Wilson, further proceedings under call of the house were dispensed with, to receive a message from the council.

On motion of Mr. Strong there was a call of the house.

Mr. Sebree moved further proceedings under call of the house be dispensed with. Lost.

On motion of Mr. Wilson further proceedings under call of the house were dispensed with.

On motion of Mr. Strong the house resolved itself into committee of the whole for the consideration of house bill No. 30, a bill for "an act to locate the seat of government of the territory."

Mr. Strong in the chair.

After some time spent in consideration of the bill, the committee arose and through their chairman reported as follows:

Mr. Speaker:

The committee of the whole have had under consideration house bill No. 30, and report progress and ask leave to sit again.

J. C. STRONG,

Chairman of Committee.

On motion of Mr. Herrick report adopted.

On motion of Mr. Sebree the house reconsidered its action on section 19 of house bill No. 5, a bill for "an act giving liens in certain cases," and the bill was taken up for consideration.

Mr. Sebree offered the following amendment to the bill, to be inserted as section 19.

The provisions of this act with the exception of those contained in section 7, shall apply to all repairs made upon any

wagon, carriage, or other vehicle, or mowing machine or reaper, giving to the mechanic making such repairs, the right to retain possession of the wagon, carriage, vehicle, machine or reaper, or other chattel property so repaired by him, until the cost of said repairs are paid. And if the amount due any mechanic for repairs so made upon any species of chattel property is not paid within thirty days, it shall be lawful for the same to be sold by advertisement in accordance with the provisions governing sales of personal property on execution, and out of the proceeds of such sale shall pay himself the amount of his claim, and all cost of making the same, and the residue shall be paid to the owner of such property.

Amendment put and adopted.

On motion of Mr. Sebree the rules were suspended and the bill read a third time by title and put upon its passage.

A vote was taken on the passage of the bill.

Ayes—Messrs. Abney, Douglass, Holbrook, Haas, Menefee, Sheeks, Sebree, Strong, Wilson and Mr. Speaker—10.

Nays—Mr. Herrick—1.

Bill passed, title agreed to.

Mr. Strong by consent of the house, introduced house bill No. 46, a bill for “an act to organize and discipline the volunteer militia of Wyoming.”

Mr. Wilson moved the rules be suspended and the bill read a first, second and third time by title and put upon its passage. Lost.

Bill read first time.

On motion of Mr. Sebree the rules were suspended and the bill read a third time by title and put upon its passage.

A vote was taken on the passage of the bill.

Ayes—Messrs. Herrick, Haas, Menefee, Sheeks, Sebree, Strong, Wilson and Mr. Speaker—8.

Nays—Mr. Holbrook—1.

Bill passed, title agreed to.

Mr. Haas presented the following report:

Mr. Speaker:

Your committee on enrolled bills, have examined house bill No. 39, a bill for “an act to provide for selecting, summoning and empanelling jurors,” and house bill No. 29, a bill for “an act to provide for unfortunates,” and find the same correctly enrolled.

H. HAAS,

Chairman of Committee.

On motion of Mr. Abney report adopted.

On motion of Mr. Strong the bill was made a special order for 4:30 p. m.

Mr. Sheeks presented the following report:

Mr. Speaker:

Your special committee to whom was referred council bill No. 87, a bill for "an act to organize the county of Sweetwater, and provide for the appointment of officers therein," have had the same under consideration, and report it back, recommending its passage.

BEN SHEEKS,
Chairman of Committee.

On motion of Mr. Douglass report adopted.

Mr. Menefee presented a petition signed by Edward Lauri and one hundred and sixty-six other citizens of Carter county, praying for an election to decide the location of the county seat of the county.

On motion of Mr. Sheeks, council bill No. 87 was taken up and read third time and put upon its passage.

A vote was taken on the passage of the bill.

Ayes—Messrs. Abney, Douglass, Herrick, Holbrook Haas, Sheeks, Sebree, Strong, Wilson and Mr. Speaker—10.

Nays—Mr. Menefee—1.

Bill passed, title agreed to.

Mr. Strong by consent of the house introduced house bill No. 45, a bill for "an act to provide for the appointment of officers for Uinta county."

Read first time.

On motion of Mr. Sheeks the rules were suspended and the bill read a second and third time by title and put upon its passage.

A vote was taken on the passage of the bill.

Ayes—Messrs. Abney, Douglass, Herrick, Haas, Holbrook, Menefee, Sheeks, Sebree, Strong, Wilson and Mr. Speaker—11.

Nays—None.

Bill passed, title agreed to.

The following message was received:

COUNCIL CHAMBER, CHEYENNE, W. T., }
December 3d, 1869.

To the Hon. Speaker of the House of Representatives:

SIR—I am instructed by the council to transmit to your honorable body the following bills passed by the council this day.

House bill No. 40, a bill for "an act to establish a territorial road from Sherman to the Colorado line, in the direction of the North Park gold mines."

House bill No. 44, a bill for "an act to organize the county of Carbon, and for the appointment of officers therein," with the following amendments, where "100° 30'" occur, insert "107° 30'," and strike out section 3.

Council bill No. 74, a bill for "an act to locate and establish a territorial wagon road from the town of Wyoming to the Last Chance gold mines."

Council bill No. 85, a bill for "an act to provide for the adoption of children in certain cases."

Council bill No. 83, a bill for "an act to provide for the maintenance and support of illegitimate children."

Council memorial No. 7, a memorial and joint resolution of the legislative assembly of Wyoming territory, praying for an extra session of the legislature during the year 1870.

Council memorial No. 6, relative to increased mail facilities between the Union Pacific railroad and the Sweetwater mining district.

Council memorial No. 8, a memorial to congress praying for an increase of salaries of the chief justice and associate justices of the territory of Wyoming.

All of which is respectfully submitted, and the bills and memorials are herewith transmitted.

Respectfully,

EDWARD ORPEN,
Secretary of the Council.

On motion of Mr. Herrick, the house took up the council amendments to house bill No. 44 for consideration.

On motion of Mr. Sheeks the amendments were concurred in.
Bills ordered to be enrolled.

The following message was read:

COUNCIL CHAMBER, CHEYENNE, W. T. }
December, 4th, 1869. }

To the Hon. Speaker of the House of Representatives:

SIR—I am instructed by the Council to inform the House of the passage of council bill No. 77, a bill for "an act to increase the salaries of the judges of the supreme court."

Bill herewith transmitted.

Respectfully,

EDWARD ORPEN,
Secretary of the Council.

Council bill No. 83, a bill for "an act to provide for the maintenance and support of illegitimate children," was taken up.

On motion of Mr. Sheeks the rules were suspended and the bill read a first and second time by title, and referred to the committee on judiciary.

Council memorial No. 7, a memorial and joint resolution to congress, praying for an extra session of the legislature of Wyoming, in the year 1870, was taken up and read first time.

Mr. Sebree moved the rules be suspended and the memorial and joint resolution read a second and third time by title. Carried.

Read second time by title.

Mr. Sheeks moved that the blank after the words "month of" be filled with the word "July." Carried.

Mr. Sheeks moved the resolution be amended by inserting after the words "resolved that," the words "the Hon. E. M. Lee, Secretary of the territory be requested to forward to," and also to insert between the words "Nuckolls" and "be requested" the words "and, that he."

Amendment adopted.

Read third time by title and adopted.

Ayes—Messrs. Abney, Douglass, Holbrook, Haas, Sheeks, Sebree, Strong, Wilson and Mr. Speaker—9.

Nays—Messrs. Herrick and Menefee—2.

The following message was received.

COUNCIL CHAMBER, CHEYENNE, W. T., }
December 4th, 1869. }

To The Hon. Speaker of the House of Representatives:

SIR—I am instructed to inform the House that the council has adopted house joint resolution No. 7, "for the appropriation of funds to defray the expenses incurred in transporting prisoners from Wyoming territory to the house of correction at Detroit, Michigan," also house bill No. 42, a bill for "an act concerning arbitrators."

Council bill No. 88, a bill for "an act to establish a fence law in Albany, Carbon and Uinta counties."

Council bill No. 89, a bill for "an act fixing the time for convening the next and subsequent legislatures of Wyoming."

Council memorial and joint resolution No. 9, to his excellency U. S. Grant, President of the United States, relative to the abrogation of the treaty, concluded July 3d, 1868, with the Shoshone indians.

Respectfully,

EDWARD ORPEN,

Secretary of the Council.

Council bill No. 88, a bill for "an act to establish a fence law in Albany, Carbon and Uinta counties," was taken up.

On motion of Mr. Sheeks the rules were suspended and the bill read a first and second time by title, and referred to the committee on agriculture.

Council bill No. 74, a bill for "an act to establish a territorial wagon road from the town of Wyoming to the Last Chance gold district," was taken up.

On motion of Mr. Strong the rules were suspended and the bill read a first and second time by title, and referred to a special committee composed of the delegates from Albany county.

Council memorial No. 6, to the Postmaster General, relative to increased mail facilities between the U. P. R. R. and the Sweetwater mining district, was taken up.

Read first time.

On motion of Mr. Sheeks the rules were suspended and the memorial read a second time by title and referred to the delegates from Carter county and the delegate at large.

Council memorial No. 8, relative to the increase of salary of the federal judges in the territory, was taken up.

On motion of Mr. Douglass the rules were suspended and the memorial read twice by title and referred to the committee on ways and means.

Council memorial No. 9, to the President, relative to the abrogation of the treaty of July 3d, 1868, with the Shoshone Indians, was taken up.

On motion of Mr. Sebree the rules were suspended and the memorial read twice by title and referred to the committee on Indian affairs.

Council bill No. 77, a bill for "an act to increase the salary of the judges of the supreme court of the territory of Wyoming," was taken up.

On motion of Mr. Douglass the rules were suspended and the bill read twice by title and referred to a special committee.

The Speaker appointed Messrs. Douglass, Sheeks and Sebree, such committee.

The following concurrent resolution transmitted from the council was taken up for consideration.

Resolved, By the Council, the House of representatives concurring, that the invitation heretofore extended to the members of the legislature by Col. C. G. Hammond, general superintendent of the U. P. R. R. be accepted, and that Tuesday, the 15th inst. be fixed as the day to leave Cheyenne. Laid over.

Council bill No. 70, a bill for "an act to grant to the women of Wyoming the right of suffrage," was taken up.

Mr. Sheeks moved to postpone the consideration of the bill indefinitely. Lost.

On motion of Mr. Douglass the bill was made a special order for 7 p. m.

On motion of Mr. Douglass the house took up council bill No. 62, a bill for "an act limiting the rights of action in certain cases."

Mr. Wilson introduced the following resolution:

Resolved, That the thanks of the house of representatives be tendered to the editor of the Cheyenne Daily Leader, for his kindness in furnishing the members of the house with a copy of his paper daily.

Mr. Douglass moved the resolution be referred to the appropriate committee.

Referred to the committee on Indians.

Mr. Wilson presented the following communication :

HON. S. M. CURRAN,

Speaker of the House of Representatives :

SIR—We the undersigned would most respectfully represent that we were employed by the Hon. Mr. Rockwell, of the judiciary committee, to write up the criminal code of civil procedure, justice code, and other bills, with the express understanding that we should receive compensation therefor. As it now stands no appropriation has been made, and we would most respectfully call your attention to the fact that we have worked twenty-five days each if not more, and ask that justice may be done.

Very respectfully

Your obedient servants,

J. E. ROCKWELL,
WM. RINES.

I hereby certify that the above is correct.

W. S. ROCKWELL,

Chairman of Council Judiciary Committee.

On motion of Mr. Wilson the clerk was instructed to forward the communication to the Council.

On motion of Mr. Wilson the house resolved itself into committee of the whole for the consideration of council bill No. 62, a bill for "an act limiting the rights of actions in certain cases.

Mr. Wilson in the chair.

After some time spent in consideration of the bill, the committee arose and through their chairman reported as follows :

Mr. Speaker:

The committee of the whole have had under consideration council bill No. 62, and report that they have adopted a substitute for the bill, the passage of which they recommend.

P. S. WILSON,

Chairman of Committee.

On motion of Mr. Haas the report was adopted.

House bill No. 47, the substitute adopted by the committee of the whole for council bill No. 62, was taken up and read a third time by title and put upon its passage.

A vote was had upon the passage of the bill.

Ayes—Messrs. Abney, Herrick, Menefee, Sheeks, Sebree, Wilson and Mr. Speaker—7.

Nays—Messrs. Holbrook and Douglass—2.

Bill passed, title agreed to.

On motion of Mr. Sheeks the house went into secret session.

EVENING SESSION.

House met at 7 p. m.

Speaker in the chair.

Absent at roll call—Messrs. Abney, Sebree and Wilson.

On motion of Mr. Strong absentees were sent for.

On motion of Mr. Douglass further proceedings under call of the house were dispensed with.

On motion of Mr. Strong the house resolved itself into committee of the whole for the consideration of council bill No. 70, a bill for "an act to grant to the women of Wyoming the right of suffrage."

Mr. Douglass in the chair.

After some time spent in consideration of the bill, the committee arose, and through their chairman reported as follows:

Mr. Speaker:

The committee of the whole have had council bill No. 70, a bill for "an act to grant to the women of Wyoming the right of suffrage," under consideration, and report the same back to the House.

J. N. DOUGLASS,

Chairman of Committee.

Mr. Wilson moved the report be received. Lost.

Mr. Sheeks moved the messages from the council be taken up. Lost.

Mr. Sheeks moved to adjourn. Lost.

Mr. Strong moved to reconsider the vote on the reception of the report of the committee of the whole in relation to council bill No. 70. Lost.

Mr. Strong appealed from the decision of the chair.

Appeal not sustained.

Mr. Sheeks moved to adjourn. Lost.

Mr. Strong moved to adjourn. Lost.

On motion of Mr. Haas the following messages were taken up.

COUNCIL CHAMBER, CHEYENNE, W. T., }
December 4th, 1869. }

Hon. Speaker of the House of Representatives:

SIR—I am instructed to inform the House that the Council concurs in all the amendments made by the house to council bill No. 26, a bill for "an act to establish the courts and define the jurisdiction of justices of the peace," except sections 29, 68 and 70, these the council refuse to concur in, and would respectfully

request that your honorable body recede from your amendments to those sections.

Respectfully,

EDWARD ORPEN,
Secretary of the Council.

On motion of Mr. Sheeks the House insists on its amendments to sections 29 and 68.

Mr. Wilson moved the House insist on its amendments to section 70, and that a committee of conference be asked for on the amendments.

The following communication was read:

COUNCIL CHAMBER, CHEYENNE, W. T., }
December 4th, 1869.

To the Hon. Speaker of the House of Representatives:

SIR—I am instructed to inform the House that the Council refuse to concur in the House amendment to council bill No. 47, a bill for "an act to restrict gaming," to strike out the words "lansquenet, rondo and keno," from section 1, of the bill, but do concur in the amendment to insert the word "vingt-un" in same section. The council refuses also, to concur in the amendment, to add Section 9 to said bill, and respectfully requests that your honorable body recede from those amendments.

Respectfully,

EDWARD ORPEN,
Secretary of the Council.

Mr. Sheeks moved that the House recede from its amendment to strike out certain games named, and insist on its amendment to insert section 9 in the bill. Carried.

On motion of Mr. Sheeks the House adjourned at 7:55 p. m.

L. L. BEDELL,
Chief Clerk of the House.

FORTY-FIFTH DAY.

HOUSE OF REPRESENTATIVES, }
December 6th, 1869.

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the chaplain.

Absent at roll call—Messrs. Abney, Herrick, Sebree and Wilson.

Journal read and approved as corrected.

Mr. Haas presented the following reports:

Mr. Speaker:

Your committee on engrossed bills have examined house bill No. 14, a bill for "an act to provide for holding elections in Wyoming territory," and report the same correctly engrossed.

H. HAAS.

Chairman of Committee.

Mr. Speaker:

Your committee on enrolled bills, have examined "an act to establish a territorial road from Sherman to the line of Colorado territory in the direction of the North Park gold mines."

"An act to establish the boundary lines of Albany county, and for the appointment of officers therein."

"An act for the organization of the county of Carbon, and to establish the boundaries thereof, and for the appointment of officers therein."

"An act concerning arbitrators," "an act to provide for homesteads in Wyoming territory," and "an act to protect railroad employees, injured in the discharge of their duties," and report the same to the House correctly enrolled.

H. HAAS,

Chairman of Committee.

The Speaker announced to the House, that he had signed the following enrolled bills:

"An act to establish a territorial road from Sherman to the Colorado line in the direction of the North Park gold mines."

"An act to establish the boundary lines of Albany county, and for the appointment of officers therein."

"An act to organize the county of Carbon, and to establish the boundary lines thereof, and for the appointment of officers therein."

"An act concerning arbitrators."

"An act to provide for homesteads in Wyoming territory."

"An act to protect railroad employees injured while in the discharge of their duties."

"An act to provide for selecting, summoning and empanelling jurors."

"An act to provide for criminals, insane and other persons."

Mr. Strong presented the following report:

Mr. Speaker:

Your committee of conference, to whom was referred council bill No. 31, a bill for "an act to provide a territorial and county

revenue," would report, that the House amendment to the 27th section be amended so as to read as follows: "That the assessor of each county shall receive for his services twelve dollars per day, and actual cost of transportation over railroads or stage lines, to be audited by the county commissioners," also, that house amendment to section 36 be insisted on, also that section 60 be amended by striking out "one thousand dollars" and inserting instead the words "one hundred dollars," and in same section to strike out "ten thousand" and insert the words "one thousand" therefor.

J. C. STRONG,
Chairman of Committee.

On motion of Mr. Menefee, report adopted.

Mr. Strong introduced house bill No. 48, a bill for "an act to legalize the assessment, equalization and levy of taxes in Carbon county for the year 1869.

Read first time.

On motion of Mr. Strong the rules were suspended, and the bill read a second and third time by title and put upon its passage.

A vote was had upon the passage of the bill.

Ayes—Messrs. Douglass, Holbrook, Miller, Menefee, Sheeks, Sebree, Strong, Wilson and Mr. Speaker—9.

Nays—None.

Bill passed, title agreed to.

Mr. Menefee introduced house bill No. 49, a bill for "an act supplemental to an act to encourage the development of the mining resources of the territory of Wyoming."

Read first time.

On motion of Mr. Menefee the rules were suspended and the bill read a second and third time by title and put upon its passage.

A vote was taken on the passage of the bill.

Ayes—Messrs. Abney, Douglass, Holbrook, Miller, Menefee, Sebree and Strong—7.

Nays—Messrs. Sheeks and Wilson—2.

Bill passed, title agreed to.

The following messages were received.

COUNCIL CHAMBER, CHEYENNE, W. T., }
December 6th, 1869.

Hon. Speaker of the House of Representatives:

SIR—I am instructed to inform the house of the passage by the council of the following bills:

"Council bill No. 90, a bill for "an act apportioning the territory of Wyoming into council and representative districts, and for other purposes."

Council bill No. 86, a bill for "an act to provide for holding elections, the manner of conducting the same, and for other purposes."

House bill No. 45, a bill for "an act providing for the appointment of officers for Uinta county."

Council memorial and joint resolution to congress, praying for "an appropriation for the erection of capitol buildings in Wyoming territory."

Bills and memorial herewith transmitted.

Respectfully,

EDWARD ORPEN,

Secretary of the Council.

COUNCIL CHAMBER, CHEYENNE, W. T., }
December 6th, 1869. }

To the Hon. Speaker of the House of Representatives:

SIR—I am instructed to inform the House that the Council committee of conference appointed to meet a similar committee from the House, in relation to the differences existing between the two houses on house bill No. 18, made a report recommending that the council recede from its amendments to said bill, which report was adopted.

The council therefore recedes from the amendments referred to.

Respectfully,

EDWARD ORPEN,

Secretary of the Council.

The council memorial and joint resolution to congress, praying for an appropriation for the erection of a capitol building for Wyoming, was taken up.

Read first time.

Council bill No. 90, a bill for "an act apportioning the territory of Wyoming into council and representative districts," was taken up.

Read first time.

On motion of Mr. Strong the rules were suspended and the bill read a second time by title, and referred to the committee on territorial affairs.

Council bill No. 89, a bill for "an act fixing the time of convening of the next and subsequent legislatures," was taken up.

Read first time.

On motion of Mr. Strong the rules were suspended and the bill read a second time by title, and referred to the committee on territorial affairs.

Council bill No. 86, a bill for "an act to provide for holding elections, the manner of conducting the same, and for other purposes," was taken up.

On motion of Mr. Sheeks the rules were suspended and the bill read a first and second time by title, and referred to the committee on elections.

On motion of Mr. Douglass the house reconsidered the vote on referring the bill.

On motion of Mr. Strong the bill was referred to the committee of the whole and made a special order for 2 p. m. to-day.

House bill No. 14, a bill for "an act to provide for holding elections in Wyoming territory," was taken up.

The bill was returned from the engrossing committee with the endorsement defective.

On motion of Mr. Abney the clerk was instructed to properly endorse the bill.

On motion of Mr. Douglass the committee on engrossed and enrolled bills was extended.

The speaker announced that the former committee would be the committee on enrolled bills, and the committee on engrossed bills would be Messrs. Douglass, Strong and Abney.

House bill No. 14, a bill for "an act to provide for holding elections in Wyoming territory," was taken up.

Read third time, and put upon its passage.

The question being, shall this bill pass?

Ayes—Messrs. Abney, Douglass, Holbrook, Haas, Menefee, Sheeks, Sebree, Strong, Wilson and Mr. Speaker—10.

Nays—Mr. Miller—1.

Bill passed, title agreed to.

Mr. Haas presented the following report:

Mr. Speaker:

Your committee on enrolled bills, have examined house bill No. 45, a bill for "an act for the appointment of officers for the county of Uinta," and report the same correctly enrolled.

II: HAAS,

Chairman of Committee.

Also the following:

Mr. Speaker:

I would respectfully report to the house, that I have this day, at 11:45 a. m., presented to the Governor, for his approval, the following bills:

"An act to establish a territorial road from Sherman to the Colorado line in the direction of the North Park gold mines."

"An act to establish the boundary lines of Albany county, and for the appointment of officers therein."

"An act to organize the county of Carbon and to establish the boundary line thereof, and for the appointment of officers therein."

"An act concerning arbitrators."

"An act to provide for homesteads in Wyoming territory."

"An act to protect railroad employees injured while in the discharge of their duties."

"An act to provide for selecting and summoning and impanelling jurors."

"An act to provide for criminals, insane and certain other persons."

H. HAAS.

Chairman of Committee.

The council resolution in relation to accepting the invitation of Col. C. G. Hammond to visit Omaha, which laid over one day was taken up.

On motion of Mr. Sheeks was laid over for future consideration.

On motion of Mr. Sheeks the House took a recess till 2 p. m.

AFTERNOON SESSION,

House met at 2 p. m.

Speaker in the chair.

On motion of Mr. Sheeks the house resolved itself into committee of the whole for the consideration of council bill No. 86, a bill for "an act to provide for holding elections in Wyoming territory, and the manner of conducting the same.

Mr. Douglass was called to the chair.

The committee arose to receive a message from the council, and resolved itself into committee of the whole again.

After some time spent in consideration of the bill, the committee arose and through their chairman reported as follows:

Mr. Speaker:

The committee of the whole have had council bill No. 86, under consideration, and report that they recommend the bill be laid over for future consideration.

J. N. DOUGLASS,

Chairman of Committee.

On motion of Mr. Miller report adopted.

On motion of Mr. Sheeks the following communications were taken up.

COUNCIL CHAMBER, CHEYENNE, W. T., }
December 6th, 1869. }

To The Hon. Speaker of the House of Representatives:

SIR—I am instructed to inform the House that the Council has appointed a committee of conference, composed of Messrs. Wardman, Murrin and Brady, to meet a similar committee from the House, relative to the differences existing on council bill No. 47, a bill for "an act to restrict gaming."

Respectfully,

EDWARD ORPEN,

Secretary of the Council.

The Speaker appointed Messrs. Menefee, Douglass and Abney a committee on the part of the House.

COUNCIL CHAMBER, CHEYENNE, W. T., }
December 6th, 1869.

Hon. Speaker of the House of Representatives:

SIR—I am instructed to inform the House that the Council has passed house bill No. 20, a bill for "an act to locate the territorial penitentiary, and for other purposes," with the following amendments:

Section 2, insert after the word "thereafter" the words "as may be." Strike out the words "after receiving notice that such appropriation has been made." Line 26, strike out the word "invest," and insert the word "vest."

Line 27, strike out the words "United States," and insert "territory of Wyoming."

Line 32, after the word "territory," insert the words "United States."

Section 3 strike out, and substitute instead the following:

"The Governor shall nominate, and by and with the consent of the Council, appoint three commissioners, who shall be styled commissioners of the penitentiary, who shall hold their offices for two years from the passage of this act, and until their successors are appointed and qualified."

Section 5, strike out the 10th, 11th, 12th and 13th lines, and the word "paper" in the 14th line, and the word "which" in the 8th line.

Line 25, strike out "excepting" and insert instead the word "excepted."

Line 26 strike out the word "warrants," and insert the word "orders," in same line strike out the words "fund appropriated" and insert the word "treasurer" instead.

Line 27, strike out the words "all balance due," and insert the words "balance due the contractor or contractors."

Line 32, strike out all after and including the word "less" of the section.

Section 6, after the word warden in line 5, insert the words "of said penitentiary." In line 23 strike out the word "the" and insert instead the word "that."

Section 7, line 35, strike out the word "each" after the word "day," and insert the word "every" after the word "for," and insert the word "each" after the word "for."

Line 47, after the word "amount" add "provided that said auditor shall be fully satisfied that said accounts are in all respects correct."

Section 8, line 13, strike out the word "to" before the words "take and." Line 14, insert the words "of office" after the word "oath."

Section 9, line 9, after the word "auditor" insert "if found correct, and warrants or orders drawn on the treasurer therefor, to be paid out of the general fund," strike out the words "out of the contingent fund."

Section 4, line 18, strike out the word "money" and insert the word "orders" instead, and add after line 21, "which bond shall be filed by the secretary of the territory, and carefully preserved in his office."

Respectfully,

EDWARD ORPEN,

Secretary of the Council.

On motion of Mr. Douglass the amendments were concurred in, The following message was read.

COUNCIL CHAMBER, CHEYENNE, W. T., }
December 6th, 1869. }

To the Hon. Speaker of the House of Representatives:

SIR—I am instructed by the council to inform the house, that the council concurs in your amendments to council bill No. 8, a bill for "an act relating to estrays in Wyoming territory," in striking out the words "estrays for Wyoming territory" after the enacting clause, but refuse to concur in the amendment to section one, and respectfully ask that you recede from your amendments in that particular.

Respectfully,

EDWARD ORPEN,

Secretary of the Council.

On motion of Mr. Sheeks the house recedes from its amendment.

COUNCIL CHAMBER, CHEYENNE, W. T., }
December, 6th, 1869. }

To the Hon. Speaker of the House of Representatives:

SIR—I am instructed by the Council to inform the House that the council has passed council bill No. 83, a bill for "an act to establish the seat of government of Wyoming territory." Also that the council concur in the house amendments to council bill No. 5, in striking out the word "recorder" whenever it occurs, and inserting instead the word clerk, but refuse to concur in the amendment to fill up the blank with the word "twelve" relative to the time of commencing suits, and also in inserting a new section between sections 18 and 19, and respectfully request that the house recede from its amendments.

Respectfully,

EDWARD ORPEN,

Secretary of the Council.

On motion of Mr. Sheeks the amendment to fill up the blank was insisted on.

On motion of Mr. Wilson the amendment to insert the new section was insisted on.

On motion of Mr. Herrick, council bill No. 70, a bill for "an act to grant to the women of Wyoming the right of suffrage," was taken up.

The Speaker called Mr. Sebree to the chair.

On motion of Mr. Strong there was a call of the house, and absentees were sent for.

Mr. Sheeks moved to take a recess till 7 p. m. Lost.

Mr. Curran moved the consideration of the bill be postponed until July 4th, 1870. Lost.

Mr. Sheeks moved to postpone the bill until Saturday next. Lost.

Mr. Curran moved to insert in section 2 of the bill, the words "three years or sooner discharged." Lost.

Mr. Sheeks offered the following amendment, to insert the words "all colored women and squaws" in section 2.

On motion of Mr. Miller the amendment was laid on the table.

Mr. Strong offered the following amendment, to strike out the word "women," and insert in-tead the word "ladies."

On motion of Mr. Miller laid on the table.

On motion of Mr. Sheeks the word "eighteen" was stricken out and the words "twenty-one" inserted instead.

On motion of Mr. Wilson the rules were suspended, and the bill read a third time by title and put upon its passage.

A vote was taken on the passage of the bill.

Ayes—Messrs. Abney, Douglass, Herrick, Miller, Menefee, Sebree and Wilson—7.

Nays—Messrs. Holbrook, Sheeks, Strong and Mr. Speaker 4.

Bill passed, title agreed to.

Mr. Wilson moved the house reconsider its action on the bill. Lost.

Council bill No. 80, a bill for "an act to establish the seat of government of Wyoming territory," was taken up and read first time.

On motion of Mr. Sebree the rules were suspended, and the bill read a second and third time by title, and put upon its passage.

A vote was taken on the passage of the bill.

Ayes—Messrs. Abney, Douglass, Herrick, Holbrook, Miller, Sheeks, Sebree, Strong, Wilson and Mr. Speaker—10.

Nays—None.

Bill passed, title agreed to.

On motion of Mr. Herrick the house took a recess till 7 p. m.

EVENING SESSION.

House met at 7 p. m.

Speaker in the chair.

Absent at roll call—Messrs. Sebree and Wilson.

Mr. Abney moved that absentees be sent for. Lost.

A message was received from the council.

COUNCIL CHAMBER, CHEYENNE, W. T., }
December 6th, 1869.

The Hon. Speaker of the House of Representatives :

SIR—I am instructed to inform the house that the council has passed the following bills:

Council bill No. 73, a bill for “an act relating to notaries public.”

Council bill No. 9n, a bill for “an act adopting a territorial seal.”

Council bill No. 95, a bill for “an act to provide city officers for the city of Cheyenne, and for other purposes.”

House bill No. 48, a bill for “an act legalizing the assessment, equalization and levy of taxes for Carbon county for the year 1869.

House bill No. 49, a bill for “an act supplemental to an act entitled an act to encourage the development of the mining resources for the territory.”

Bills herewith transmitted.

Respectfully.

EDWARD ORPEN,

Secretary of the Council.

Council bill No. 73, a bill for “an act relating to notaries public,” was taken up.

Read first time.

Mr. Herrick moved the rules be suspended and the bill read a second and third time by title and put upon its passage. Lost.

Mr. Menefee moved the rules be suspended and the bill read a second time by title and referred. Lost.

Council bill No. 94, a bill for “an act adopting a territorial seal,” was taken up.

Read first time.

Mr. Sebree moved to suspend the rules, and the bill be read a second and third time by title, and put upon its passage. Lost.

On motion of Mr. Douglass the bill was read a second time by title and made a special order for 8 p. m.

Council bill No. 95, a bill for “an act to provide city officers for the city of Cheyenne,” was taken up.

Read first time.

Mr. Abney moved to suspend the rules, that the bill may be read a second and third time by title. Lost.

Mr. Herrick moved to lay the bill on the table. Lost.

Mr. Haas moved the rules be suspended, and the bill read a second time and referred. Lost.

On motion of Mr. Wilson the bill was read a second time by title.

Mr. Seabee moved the bill re referred to a special committee, composed of the delegates from Laramie county. Lost.

Mr. Wilson moved to amend the bill by striking out section 2. Carried.

Mr. Wilson moved to insert the following in the place of section 2. "The board of trustees shall have power to appoint all their subordinate officers, and remove any or all of the same." Lost.

On motion of Mr. Wilson the bill was referred to a special committee consisting of the members from Laramie county.

Mr. Haas presented the following report:

Mr. Speaker :

Your committee on enrolled bills, have examined the house joint resolution for an appropriation to defray the expenses incurred in the transportation of prisoners from Wyoming territory to the house of correction at Detroit, Michigan, and report the same correctly enrolled.

H. HAAS,

Chairman of Committee.

The Speaker announced to the house that he had signed the following enrolled bills:

"An act to restrict gaming."

"An act to provide for the organization of the county of Sweetwater, and for the appointment of officers therein."

"An act to grant to the women of Wyoming the right of suffrage, and to hold office."

"An act to provide county offices for Laramie county, and to establish the county seat of said county, and for other purposes."

"A joint resolution for an appropriation to defray the expenses of transporting prisoners from Wyoming territory to the Detroit house of correction."

The following communications were read:

COUNCIL CHAMBER, CHEYENNE, W. T., }
December 6th, 1869. }

To the Hon. Speaker of the House of Representatives:

SIR—I am instructed by the council to transmit to your honorable body the enclosed communication from his excellency the Governor, vetoing council bill No. 45, a bill for "an act to interdict the intermarriage of white persons with those of one-eight or more negro or mongolian blood," the enrolled copy of which is herewith transmitted.

The council has passed the bill over the Governor's veto by a vote of ayes 8, nays 1.

Immediate action on this bill by the house, is respectfully solicited.

Respectfully,

EDWARD ORPEN,

Secretary of the Council.

EXECUTIVE DEPARTMENT, CHEYENNE, W. T., }
December 6th, 1869.

To the Hon. Council of the Legislative Assembly of Wyoming Territory:

I am compelled to return to the Council, without my approval the bill originating in that body, entitled "an act to prevent intermarriage between white persons and those of negro or mongolian blood."

How far it may be expedient or well to attempt to govern social life and taste by legislative prohibitions and restrictions is not easily answered; but there can be no doubt that any bill of this character should be formed so as to bear equally upon all races of men. If it be a wise policy to prohibit intermarriage between persons of different races, on account of the supposed or real moral and physical deterioration of the issue of such marriages, I can see no reason for excepting any race from the operations of the law. In this bill there is nothing to restrict the intermingling of the white or any other race, with the American race, and it is well known that there have been and probably will be, more marriages in this territory between Indians and Whites, than between persons of all the races combined.

Nor is the force of this objection weakened by the fact that in general, a marriage has not been formally solemnized by the parties, for under late decisions, living together in constant cohabitation, makes in law as it does in morals, a marriage.

In its present shape the bill appears to partake of the nature of legislation for or against particular classes, and as in my opinion, class legislation is opposed to the spirit of our organic act, the genius of republican institutions, and the progress of the age. I cannot approve the bill.

J. A. CAMPBELL.

The house proceeded to reconsider the bill.

The question was put on the passage of the bill over the Governor's veto.

Ayes—Messrs. Douglass, Holbrook, Miller, Menefee, Seabree and Mr. Speaker—6.

Nays—Messrs. Abney, Herrick, Haas, Sheeks, Strong and Wilson—6.

The bill did not pass.

On motion of Mr. Sheeks the house resolved itself into committee of the whole for the consideration of council bill No. 94, a bill for "an act to adopt a territorial seal." ✓

Mr. Strong in the chair.

After some time spent in consideration of the bill, the committee arose and through their chairman reported as follows:

Mr. Speaker:

The committee of the whole have had council bill No. 94, under consideration, and report that they recommend the passage of the bill.

J. C. STRONG,

Chairman of Committee.

On motion of Mr. Sebrece the report was adopted.

Mr. Miller moved the bill be read a third time by title and put upon its passage. Carried.

Mr. Sheeks moved to strike out the words "cedant amare togae" and insert instead the words "let us have war." Lost. ✓

The bill was read a third time by title and passed.

Ayes—Messrs. Abney, Herrick, Douglass, Holbrook, Menefee, Sebrece and Wilson—7.

Nays—Messrs. Miller and Sheeks—2.

Bill passed, title agreed to.

The Speaker announced to the house that he had signed,

"An act to establish the seat of government of Wyoming territory."

On motion of Mr. Wilson the House adjourned at 8 p. m.

L. L. BEDELL,

Chief Clerk of the House.

FORTY-FIFTH DAY.

HOUSE OF REPRESENTATIVES, }
December 7th, 1869. }

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the chaplain.

Absent at roll call—Messrs. Abney and Wilson.

Journal read and approved.

Mr. Miller presented the following report:

Mr. Speaker:

Your committee on territorial affairs to whom was referred council bill No. 90; a bill for "an act apportioning the territory of Wyoming into council and representative districts, and for other purposes." Also council bill No. 89, a bill for "an act fixing the time of convening of the next and subsequent legislatures of Wyoming territory, have had the same under consideration, and recommend their passage."

LOUIS MILLER,

Chairman of Committee.

On motion of Mr. Strong, report adopted.

Mr. Douglass presented the following report:

Mr. Speaker:

Your special committee to whom was referred council bill No. 88, a bill for "an act to establish a fence law in Albany, Carbon and Uinta counties," have had the same under consideration, and report it back to the house, recommending its passage.

J. N. DOUGLASS,

Chairman of Committee.

On motion of Mr. Miller, report adopted.

Mr. Douglass presented the following report:

Mr. Speaker:

Your select committee consisting of the members of Albany county, to whom was referred council bill No. 74, a bill for "an act to locate and establish a territorial wagon road from the town of Wyoming to the Last Chance gold mines," have had the same under consideration, and report the bill back to the house, recommending its passage with the following amendments:

Strike out one "g" from the word wagon wherever it occurs, and strike out section 3 of the bill.

J. N. DOUGLASS,

Chairman of Committee.

On motion of Mr. Miller, report adopted.

Mr Sheeks moved that the house reconsider its action of yesterday, on the passage of council bill No. 45, a bill for "an act to prevent the intermarriage of white persons and those of negro and mongolian blood," over the Governor's veto. Carried.

The action of the house was reconsidered.

The question was put on the passage of the bill over the Governor's veto.

Ayes—Messrs. Douglass, Holbrook, Miller, Menefee, Sheeks, Schree, Strong and Mr. Speaker—8.

Nays—Messrs. Abney, Herrick and Haas—3.

Bill passed over the Governor's veto, title agreed to.

Mr. Sheeks gave notice that he would on to-morrow, introduce a bill for "an act to repeal the laws of Dakota now in force in this territory.

Mr. Strong introduced house bill No. 50, a bill for "an act to provide that women who exercise the rights of the elective franchise shall perform all other duties of citizens. ✓

Read first time.

Mr. Douglass objected to the further reading of the bill.

The question being, shall this bill be rejected?

Ayes—Messrs. Abney, Douglass, Herrick, Miller and Sebree.

Nays—Messrs. Holbrook, Haas, Menefee, Sheeks, Strong and

Mr. Speaker—6.

Bill was not rejected.

Mr. Miller moved to lay the bill on the table. Lost.

On motion of Mr. Sheeks the rules were suspended and the bill read a second time by title and referred to the committee on ways and means.

Mr. Herrick moved a call of the house and absentees sent for.

On motion of Mr. Sheeks further proceedings under call of the house were dispensed with.

The following message was received.

COUNCIL CHAMBER, CHEYENNE, W. T., }
December 6th, 1869. }

To The Hon. Speaker of the House of Representatives:

SIR—I am instructed to inform the House that the Council has passed council bill No. 93, a bill for "an act to establish a bureau of immigration." Also council memorial No. 11, and house memorial and joint resolution No. 5. Bill and memorials herewith transmitted.

Respectfully,

EDWARD ORPEN,

Secretary of the Council.

The following communication was received:

WYOMING TERRITORY, EXECUTIVE DEPARTMENT, }
Cheyenne, December 7th, 1869. }

To the Hon. Speaker of the House of Representatives:

SIR—I have to inform the house of representatives, that I have approved.

"An act concerning arbitrators."

"An act to provide for homesteads in Wyoming territory."

"An act to protect railroad employes injured while in the discharge of their duties."

"An act to provide for criminals, insane and certain other persons."

"An act to provide for selecting, summoning and impanelling jurors."

Very respectfully,

Your obedient servant,

J. A. CAMPBELL.

Council bill No. 93, a bill for "an act to establish a bureau of immigration," was taken up.

Read first time.

Mr. Herrick moved to suspend the rules, and the bill be read a secone and third time by title and put upon its passage. Lost.

Mr. Sheeks moved to read a second time by title and refer. Lost.

Council memorial and joint resolution No. 11, praying for the removal of General Augur, was taken up.

Mr. Strong moved to lay it on the table. Lost.

Mr. Miller moved the rules be suspended, and the memorial read a second and third time and put upon it adoption. Lost.

Mr. Sheeks moved the rules be suspended and the memorial read second time by title and referred. Carried.

Read second time and referred to the committee on Indian affairs.

Council bill No. 73, a bill for "an act concerning notaries public," was taken up.

Read second time and referred to the committee on judiciary.

Council bill No. 90, a bill for "an act to apportion the territory in council and representative districts, was taken up and read for information.

On motion of Mr. Sebrec the bill was made a special order for 2 p. m.

Council bill No. 74, a bill for "an act to locate and establish a territorial road from the town of Wyoming to the Last Chance gold mines," was taken up.

Read third time and passed.

Ayes—Messrs. Abney, Douglass, Herrick, Haas, Miller, Menefee, Sebree, Strong and Mr. Speaker—9.

Nays—Messrs. Holbrook, Sheeks and Wilson—3.

Bill passed, title agreed to.

Council bill No. 88, a bill for "an act to establish a fence law in Albany, Carbou and Uinta counties, was taken up.

On motion of Mr. Douglass the rules were suspended, and the bill read a third time by title and put upon its passage.

A vote was had upon the passage of the bill.

Ayes—Messrs. Abney, Douglass, Herrick, Holbrook, Haas, Miller, Menefee, Sheeks, Sebree, Strong and Wilson—11.

Nays—Mr. Speaker—1.

Bill passed, title agreed to.

Council bill No. 89, a bill for "an act fixing the time of convening of the next and subsequent legislatures of Wyoming territory," was taken up and read for information.

Mr. Sheeks moved to strike out the word "November," and insert instead the word "September." Lost.

The bill was read third time and passed.

Ayes—Messrs. Abney, Douglass, Herrick, Haas, Menefee, Sheeks, Sebree, Strong, Wilson and Mr. Speaker—10.

Nays—Messrs. Holbrook and Miller—2.

Bill passed.

On motion of Mr. Herrick the title was amended so as to read, "a bill for an act fixing the time of convening of the council and house of representatives of Wyoming territory," and agreed to as amended.

Mr. Wilson presented the following report:

Mr. Speaker:

Your special committee to whom was referred council bill No. 95, a bill for "an act to provide city officers for the city of Cheyenne, and for other purposes," have had the same under consideration, and report it back to the house with the following amendments, recommending its passage with the amendments.

P. S. WILSON,

Chairman of Committee.

Section 2. amend by striking out the name of J. S. Farrar, and inserting instead Thomas Rutledge, and the name of Ed. Orpen and insert instead J. S. Farrar.

The report with the amendment was not adopted.

Mr. Wilson moved the house reconsider its action of the previous night in relation to section 2 of the bill. Lost.

Mr. Abney moved to reconsider the action of the house in relation to the adoption of the report of the committee on council bill No. 95. Carried.

On motion of Mr. Abney the report was adopted.

On motion of Mr. Sebree the bill was taken up and read a third time by title and put upon its passage.

A vote was taken on the passage of the bill.

Ayes—Messrs. Abney, Haas, Miller, Menefee, Sebree, Strong and Wilson—7.

Nays—Messrs. Douglass, Herrick, Holbrook and Mr. Speaker.

Bill passed, title agreed to.

Council memorial and joint resolution No. 10, to congress praying for an appropriation for the erection of capitol buildings was taken up and read second time.

Mr. Herrick introduced house bill No. 51, a bill for "an act to license the practice of medicine and surgery in Wyoming territory."

Read first time.

On motion of Mr. Sheeks the rules were suspended, and the bill read a second time by title and referred to Dr. J. N. Douglass, member from Albany county.

Mr. Menefee presented the following report:

Mr. Speaker:

Your committee on counties, to whom was referred council bill No. 20, a bill for "an act creating the several county officers, and defining the duties thereof," have had the same under consideration, and report it back to the house, recommending its passage without amendments.

J. W. MENEFEE,
Chairman of Committee.

On motion of Mr. Strong, report adopted.

On motion of Mr. Strong the bill was made a special order for 2 p. m.

Mr. Menefee made the following report:

Mr. Speaker:

Your committee on incorporations, to whom was referred council bill No. 71, a bill for "an act to create and regulate corporations," have had the same under consideration, and report the same back to the house, with the following amendments, and recommend the passage of the bill with the amendments.

J. W. MENEFEE,
Chairman of Committee.

Insert "title" wherever "article" occurs.

On motion of Mr. Seabee the amendment was adopted.

Section 29, line 24, insert before the word "along" the words "who may have a prior right to such water."

Section 31, line 9, insert after the word "property" the words "located and held prior to the locating of such ditch," and add to the section the following: "provided, that in all cases where the ditch has priority of right by location, the owners of such claim or property shall be compelled to protect themselves from any damage that might be created by said ditch, and the owner of such claim shall be liable for any damage resulting to said ditch by reason of the works or operations performed on such claim or property."

Section 33, line 23, strike out all after the word "aforesaid."

On motion of Mr. Haas, amendment adopted.

Sections 36 and 37 to be stricken out.

On motion of Mr. Seabee report adopted.

On motion the house took a recess till 2 p. m.,

AFTERNOON SESSION.

House met at 2 p. m.

Speaker in the chair.

Absent at roll call—Messrs. Douglass, Haas and Wilson.

Mr. Haas was excused.

The sergeant-at-arms was dispatched for absentees.

On motion of Mr. Abney further proceedings under call of the house were dispensed with.

On motion of Mr. Strong the house resolved itself into committee of the whole for the consideration of council bill No. 90, a bill for "an act to apportion the territory into council and representative districts."

Council bill No. 20, a bill for "an act creating the several county officers, and defining their duties."

After some time spent in consideration of the bill, the committee arose and through their chairman reported as follows:

Mr. Speaker:

The committee of the whole have had council bill No. 90, under consideration, and have amended the same by striking out the word "nine" wherever it occurs, and inserting instead the word "thirteen," and by striking out the word "thirteen" and inserting instead the word "twenty-seven," also by striking out the word "ninths" and inserting instead the word "thirteenthths" and the word "thirteenthths" and inserting instead the word "twenty-seventhths," also by striking out the word "fifteen" in section 8, line 3, and insert instead the word "ten," and we recommend the passage of the bill as so amended. We have also had council bill No. 20 under consideration, and report progress and ask leave to sit again.

J. C. ABNEY,

Chairman of Committee.

On motion of Mr. Strong, report adopted.

Mr. Strong moved to adjourn. Lost.

On motion of Mr. Sebree the house took a recess till 7 p. m.

EVENING SESSION.

House met at 7 p. m.

Called to order by the chief clerk.

The Speaker being absent, sick, the house proceeded to the election of Speaker pro-tem.

On motion of Mr. Miller, Mr. Sheeks was declared elected Speaker pro-tem by acclamation.

Mr. Sheeks took the chair.

On motion of Mr. Strong the house resolved itself into committee of the whole for the consideration of council bill No. 20,

a bill for "an act to create the several county officers, and define their duties."

Mr. Wilson in the chair.

After some time spent in consideration of the bill, the committee arose and through their chairman reported as follows:

Mr. Speaker:

The committee of the whole have had council bill No. 20 under consideration, and amended the same by inserting after the word "officers" in the 11th line of section 6, article 2 of the bill, the words "and to all citizens who may wish to inspect the same," and recommend the passage of the bill as so amended.

P. S. WILSON,

Chairman of Committee.

On motion of Mr. Haas, report adopted.

Mr. Miller moved that the chief clerk be instructed to send a communication to the council, inquiring as to what action has been taken by that body on a memorial and joint resolution to congress, which passed this house and was forwarded to that body, praying for an appropriation for the erection of a capitol building for Wyoming territory. Carried.

The clerk was so instructed.

The Speaker pro-tem, announced to the house that he had signed the following acts:

"An act concerning guardians and wards."

"An act relating to attorneys at law."

"An act concerning public roads and highways."

"An act providing for the retention in this territory of certain moneys collected therein."

"An act relating to lunatics and habitual drunkards."

"An act concerning jails."

"An act concerning licenses."

"An act for the protection of the owners of saw logs and timber."

"An act relating to executors and administrators, of their appointment and removal from office."

"A memorial and joint resolution to congress, praying for an extra session of the territorial legislature during the year A. D. 1870."

On motion of Mr. Wilson the following messages were taken up.

COUNCIL CHAMBER, CHEYENNE, W. T., }
December 7th, 1869. }

The Hon. Speaker of the House of Representatives:

SIR—I am instructed to inform the house that the council has passed council bill No. 83, a bill for "an act defining crime and for the punishment thereof."

House bill No. 21, a bill for "an act regulating the fees of county officers, with the accompanying amendments."

House bill No. 28, a bill for "an act to establish a code of civil procedure for the territory of Wyoming," with the enclosed amendments.

Also that the council refuse to pass the following bills:

House bill No. 46, a bill for "an act to organize and discipline the militia of Wyoming territory."

House bill No. 47, a substitute for council bill No. 62, a bill for "an act limiting the right of action in certain cases therein named," and request that a committee of conference be appointed on this bill.

Respectfully,

EDWARD ORPEN,

Secretary of the Council.

The Speaker pro-tem appointed Messrs. Wilson, Herrick and Haas a committee on the bill referred to in the message.

COUNCIL CHAMBER, CHEYENNE, W. T., }
December 7th, 1869. }

Hon. Speaker of the House of Representatives:

SIR—I am instructed by the council to request of your honorable body, the appointment of a committee of conference on the differences between the council and the house, relative to council bill No. 5, a bill for "an act giving liens in certain cases."

Respectfully,

EDWARD ORPEN,

Secretary of the Council.

The Speaker pro-tem appointed Messrs. Seabee, Wilson and Menefee, a committee in accordance with the request in the communication.

Council bill No. 83, a bill for "an act defining crime, and to provide for the punishment thereof," was taken up.

On motion of Mr. Abney the rules were suspended, and the bill read a first and second time by title and referred to the committee on judiciary."

Mr. Speaker:

Your committee on enrolled bills have examined the following acts and report them correctly enrolled.

"An act supplemental to an act to provide for the development of the mining resources of the territory."

"An act to legalize the assessment, equalization and levy of taxes in and for the county of Carbon, for the year 1869."

"An act to locate the territorial penitentiary and for other purposes"

"A memorial and joint resolution to congress praying for an appropriation for the erection of a territorial penitentiary."

H. HAAS.

Chairman of Committee.

On motion of Mr. Menefee the house resolved itself into committee of the whole for the consideration of council bill No. 71, a bill for "an act to create and regulate corporations."

Mr. Douglass in the chair.

After some time spent in consideration of the bill, the committee arose and through their chairman reported as follows.

Mr. Speaker:

The committee of the whole have had council bill No. 71 under consideration, and report that they have considered the bill from section 1 to 57 inclusive, and ask leave to sit again.

J. N. DOUGLASS,

Chairman of Committee.

On motion of Mr. Wilson report adopted.

Mr. Herrick introduced the following joint resolution:

Be it Resolved, By the house of representatives of the territory of Wyoming, the council concurring, that the sum of one hundred and fifty dollars each, be and the same is hereby appropriated to Charles E. Wilson and John T. Chaffin, clerks of the judiciary committees of the council and house of representatives, out of any moneys in the territorial treasury, not otherwise appropriated, as and for extra compensation for services rendered, and that the territorial treasurer be, and he is hereby authorized and required to pay said sums of one hundred and fifty dollars each, to said Charles E. Wilson and John T. Chaffin, when the territorial auditor shall have audited their respective accounts, for the auditing of which this shall be his authority.

Mr. Miller moved that the rules be suspended and resolution read a second and third time. Carried.

Read second and third time and adopted.

Ayes—Messrs. Herrick, Haas, Miller, Sheeks and Wilson—5.

Nays—Messrs. Douglass, Menefee and Seabee—3.

Mr. Wilson moved the house reconsider its previous action on council bill No. 95, a bill for "an act providing city officers for the city of Cheyenne." Lost.

Mr. Douglass moved to adjourn. Lost.

Mr. Herrick moved a call of the house, and absentees sent for. Carried.

Mr. Haas moved all further proceedings under call of the house be dispensed with. Carried.

Mr. Miller moved that the rules be suspended, and council bill No. 71 be put upon its passage. Lost.

Mr. Wilson moved to adjourn. Carried.

House adjourned at 9:55 p. m.

L. L. BEDELL,

Chief Clerk of the House.

FORTY-SEVENTH DAY.

HOUSE OF REPRESENTATIVES, }
December 8th, 1869. }

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the chaplain.

Absent at roll call—Messrs. Haas and Strong.

Journal read and approved.

Mr. Abney presented the following report:

Mr. Speaker:

Your committee on Indian affairs, to whom was referred council memorial and joint resolution No. 9, a memorial to the President, praying for the abrogation of the treaty with the Shoshone Indians, of July, 1868, have had the same under consideration, and report it back, recommending its passage.

J. C. ABNEY,

Chairman of Committee.

Mr. Speaker:

Your committee on federal relations to whom was referred council memorial No. 11, a memorial to the President of the United States, praying for the removal of General Augur from this military department, have had the same under consideration and report it back to the house, recommending it be referred to the committee of the whole, and made a special order for 2 p. m. to-day.

J. C. ABNEY,

Chairman of Committee.

On motion of Mr. Miller, report adopted.

The Speaker announced that he had signed,

“An act supplemental to an act to provide for the development of the mining resources of the territory.”

"An act to legalize the assessment, equalization and levy of taxes for the year 2869, in the county of Carbon."

"An act for the appointment of officers for Uinta county."

"An act to locate the penitentiary, and for other purposes."

"A memorial and joint resolution to congress, asking for an appropriation for the erection of a penitentiary in Wyoming territory."

"A joint resolution for an appropriation to defray the expenses incurred for the transportation of prisoners from Wyoming territory to the house of correction at Detroit, Michigan."

Mr. Miller moved that the house reconsider, its action of the previous evening on the passage of a joint resolution, giving extra compensation to certain clerks of the judiciary committees. Carried.

On motion of Mr. Wilson the house reconsidered its previous action on council bill No. 95, a bill for "an act to provide city officers for Cheyenne."

Mr. Wilson moved to amend the bill by striking out section 2. Lost.

Mr. Douglass moved the bill be referred to a committee composed of members from other portions of the territory outside of Laramie county. Lost.

On motion of Mr. Douglass the bill was made a special order for 3 p. m.

On motion of Mr. Sheeks the consideration of council amendments to house bill No. 28, were made a special order for 3:30 p. m.

The Speaker appointed Messrs. Miller, Holbrook and Sebree, a committee of conference on the council amendments to house bill No. 32, "an act to regulate the distribution of the laws and journals when printed."

The council amendments to house bill No. 21, a bill for "an act to regulate the fees of county officers," was made a special order for 4 p. m.

The council memorial and joint resolution No. 10, to congress, praying for an appropriation for the erection of capitol buildings for Wyoming territory, was taken up and read third time and put upon its passage.

Ayes—Messrs. Sheeks, Sebree, Wilson and Mr. Speaker—4.

Nays—Messrs. Douglass, Herrick, Holbrook, Miller, Menefee, and Strong—6.

Memorial did not pass.

Council memorial No. 11, to the President, praying for the revocation of a treaty made with the Shoshone Indians, was taken up and read third time and adopted.

Ayes—Messrs. Abney, Douglass, Herrick, Holbrook, Haas, Miller, Menefee, Sheeks, Sebree, Strong, Wilson and Mr. Speaker—12.

Nays—N

On motion of Mr. Menefee the house resolved itself into committee of the whole for the consideration of council bill No. 71, a bill for "an act to create and regulate corporations."

Mr. Abney in the chair.

After some time spent in consideration of the bill, the committee arose and through their chairman reported as follows:

Mr. Speaker:

The committee of the whole have had council bill No. 71 under consideration, and report it back to the house, recommending its passage.

J. C. ABNEY,

Chairman of Committee.

On motion of Mr. Sebree report adopted.

On motion of Mr. Wilson the bill was taken up and read third time by title, and put upon its passage.

The question being, shall the bill pass?

Ayes—Messrs. Abney, Douglass, Herrick, Holbrook, Haas, Miller, Menefee, Sebree, Strong, Wilson and Mr. Speaker—11.

Nays—Mr. Sheeks—1.

Bill passed, title agreed to.

Mr. Sheeks presented the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred council bill No. 73, a bill for "an act relating to notaries public," have had the same under consideration, and report it back to the house, recommending its passage with the amendments herewith submitted.

BEN SHEEKS,

Chairman of Committee.

Section 1, line 5, strike out the words "not exceeding four."

On motion of Mr. Abney, the amendment was adopted.

Add the following sections:

Section 15. When the holder of any instrument desires it protested, and no notary can be found, it shall be held to be a valid protest, if the holder or his agent give notice in person in the presence of two witnesses, and afterwards two of them make oath to that effect, and file such oath with the clerk of the district court.

Section 16. The fees of notaries shall be as follows:

For filling up a protest and making a demand, \$2; for each person notified, \$1; for taking acknowledgments, \$1; for taking affidavits, \$1; for registering protests, per hundred words or less, 50 cents.

Section 17. No person not an elector, shall hold a notary's commission.

On motion of Mr. Strong the amendment was adopted.

On motion of Mr. Miller the house took a recess till 2 p. m.

AFTERNOON SESSION.

House met at 2 p. m.

Speaker in the chair.

Absent at roll call—Messrs. Douglass, Sebree and Wilson.

Council memorial and joint resolution No. 11. a memorial to the President, praying for the removal of General Augur, was taken up.

On motion of Mr. Sheeks the memorial was laid on the table.

Council bill No. 95, a bill for "an act to provide city officers for Cheyenne," was taken up.

On motion of Mr. Abney the house resolved itself into committee of the whole for the consideration of the bill.

Mr. Herrick in the chair.

After some time spent in consideration of the bill, the committee arose and through their chairman reported as follows:

Mr. Speaker:

The committee of the whole have had council bill No. 95, a bill for "an act to provide city officers for Cheyenne," under consideration, and report it back to the house.

WM. HERRICK,

Chairman of Committee.

On motion of Mr. Haas, report adopted.

On motion of Mr. Wilson all previous action on the bill was reconsidered.

On motion of Mr. Wilson section 2 was stricken out.

Mr. Abney offered the following amendment.

That the former section 2 be inserted with the names of Thomas Rutledge for city marshal, and J. S. Farrar for city clerk, and by inserting the following proviso after section 2.

"Provided, That the said board of trustees shall have power to remove said Thomas Rutledge and J. S. Farrar, for inefficiency and incapacity in office."

Amendment put and lost.

Mr. Miller moved that absentees be sent for. Lost.

Mr. Abney moved that his amendment be inserted with the names of Thomas Rutledge for city marshal, and Ed. Orpen for city clerk.

Amendment put and lost.

Mr. Wilson moved the rules be suspended, and the bill be read a third time by title and put upon its passage. Carried.

A vote was taken on the passage of the bill.

Ayes—Messrs. Douglass, Holbrook, Haas, Miller, Menefee, Sebree and Wilson—7.

Nays—Messrs. Abney and Herrick—2.

Bill passed, title agreed to.

Mr. Haas presented the following report:

Mr. Speaker:

I would respectfully report that I presented to the Governor for his approval at 12 o'clock noon, to-day:

"An act supplemental to an act to provide for the development of the mining resources of this territory."

"An act legalizing the assessment, equalization and levy of taxes in and for the county of Carbon, for the year 1869."

"A memorial and joint resolution to congress, praying for an appropriation for the erection of a territorial penitentiary."

"An act for the location of a territorial penitentiary."

"An act for the appointment of officers for Uinta county."

"A joint resolution for an appropriation to defray the expenses incurred in transporting prisoners from Wyoming territory to the house of correction at Detroit, Michigan."

H. HAAS,

Chairman of Committee.

On motion of Mr. Wilson the house resolved itself into committee of the whole for the consideration of the council amendments to house bill No. 28, a bill for "an act to establish a code of civil procedure for the territory of Wyoming."

Mr. Wilson in the chair.

The committee arose to receive a message from the Governor, and again went into committee of the whole.

After some time spent in consideration of the bill, the committee arose and through their chairman reported as follows:

Mr. Speaker:

The committee of the whole have had council amendment to house bill No. 28, a bill for "an act to establish a code of civil procedure," under consideration, and report the bill back to the house, asking leave to report at some future time.

P. S. WILSON,

Chairman of Committee.

On motion of Mr. Douglass, report adopted.

The following communications were read:

WYOMING TERRITORY, EXECUTIVE DEPARTMENT, }
Cheyenne, December 8th, 1869. }

To the Hon. Speaker of the House of Representatives:

SIR—I have the honor to inform the house that I have approved:

"An act supplemental to an act to provide for the development of the mining resources of the territory."

"A memorial and joint resolution to congress, asking for an appropriation for the erection of a penitentiary in Wyoming territory.

"An act to locate the penitentiary, and for other purposes."

"An act legalizing the assessment, equalization and levy of taxes for and in Carbon county, for the year 1869."

"An act for the appointment of officers in Uinta county."

"A joint resolution for an appropriation to defray the expenses incurred in transporting prisoners from Wyoming to the house of correction at Detroit, Michigan.

J. A. CAMPBELL.

The Speaker announced that he had signed:

"An act to establish a code of criminal procedure for Wyoming territory."

"An act to locate and establish a territorial road from the town of Wyoming to the Last Chance gold mines."

The following communication was received from the Governor.

EXECUTIVE DEPARTMENT, CHEYENNE, W. T., }
December 6th, 1869.

To the House of Representatives of Wyoming Territory:

I am compelled by a sense of duty to the people of the territory, and a proper regard to our future financial credit, to return to the House of Representatives, in which the bill originated. "An act fixing the compensation of members, clerks, and other officers of the Legislative Assembly of the territory of Wyoming." I am doubtful, whether, under the organic act of the territory, the legislature has the power to provide for the compensation of its own members. Congress has prescribed by law the amount which shall be paid the members and officers of the legislative assembly, and has not delegated to the members the power of raising and increasing their own salaries. The amount of our territorial revenue has not been ascertained, but enough is known to justify the belief, that should this bill become a law, the expenses of this legislature for sixty days, will eat up far more than one-half the revenue for one year. And this in addition to the sum appropriated by congress and expended for the legislature.

I have said that I believed this bill to be opposed to the spirit of the organic act of the territory, which wisely provides:

Section 8. "That no member of the legislative assembly shall hold or be appointed to any office which shall have been created, or emoluments of which shall have been increased during the term for which he was elected, or for one year after the expiration of such term." This provision is intended clearly to prevent members of the legislature who have control of the purse, and are responsible for the laws for the collection and expenditure of

the public money from profiting by their own acts. The constitutions of all of the States contain provisions similar to this provision of our organic act. In almost all of the states the constitutions prohibit members increasing their salaries for the term for which they were elected. This provision is so wise and necessary, that it may be looked upon as an established principle of our government. The right of the legislature to take one dollar per day from the public treasury, implies the right to take a hundred, and should this be the policy of this and future legislatures; the prospect is, that there would be but little if any left for the ordinary and necessary expenses of government.

There is another consideration which is entitled to great weight in relation to this subject. Our territory is just starting on its career. On our fair financial fame depends much of our prosperity. We have no definitely ascertained revenue, at least we are only certain that the revenue will not be large. To take from our treasury the large sum of \$15,760, for the purpose of paying the expenses of a legislature already paid by congress, would absorb more than one-half the estimated revenue of the territory, birth-strangle our credit, depreciate our territorial evidences of indebtedness, and make us the author of our own bankruptcy. "The sum appropriated will amount, by the estimates that have been made, to nearly two dollars each for every man, woman and child in the territory." The aggregate amount could be expended in such a way as to disseminate information in regard to our resources from one end of the land to the other, and bring thousands of emigrants into the territory, instead of frightening them away by the fears of heavy taxation levied and enjoyed by those whose duty it should be to protect the people from all unnecessary expenditure, and guard the treasury with jealous care. I cannot think that the people will sanction this great wrong. I would ask the members themselves to ponder on what will be the consequences of their acts, if no regard is paid to the interests of the territory. Let it be remembered that the people are jealously watching the expenditure of their own money. They know that the United States pays to the twenty-two members of the general assembly and their clerks and other employees in per diem and mileage, \$8,500, and in addition to this pays all other expenses of the legislative assembly. Not one dollar of the large sum appropriated by this bill is to be expended for fuel, rents, printing or other necessary incidental expenses of the legislature. The \$15,000 taken from the treasury inures solely to the benefit of the twenty-two members and their clerks and other employees.

In the hasty legislation rendered necessary by the short time allowed for your session, it would be strange if some bills were not passed, which further deliberation and the "sober second

thought" of members, would not show to be in some respects improper and unwise. I hope this is one of that character.

I cannot approve the bill.

J. A. CAMPBELL.

The house then proceeded to reconsider the bill.

The question was put on the passage of the bill over the Governor's veto.

Nays—Messrs. Abney, Douglass, Herrick, Holbrook, Haas, Menefee, Sheeks, Sebree, Strong and Mr. Speaker—10.

Nays—Mr. Wilson—1.

The bill passed over the Governor's veto.

On motion of Mr. Sebree the house took a recess till 7 p. m

EVENING SESSION.

House met at 7 p. m.

Speaker in the chair.

Absent at roll call—Messrs. Douglass, Sebree and Haas.

Mr. Abney presented the following report.

Mr. Speaker:

Your special committee to whom was referred house bill No. 37, a bill for "an act to regulate marriages," have had the same under consideration, and report it back to the house with the following amendments.

J. C. ABNEY,

Chairman of Committee.

On motion of Mr. Miller the report with amendments were adopted.

The following communications were received.

COUNCIL CHAMBER, CHEYENNE, W. T., }
December 6th, 1869. }

To the Hon. Speaker of the House of Representatives:

SIR—I am instructed by the council to inform the house, that the council has passed over the Governor's veto, "an act establishing the judicial districts within the territory of Wyoming, and to provide for the holding of courts therein," by a vote of ayes 8, nays 1. The enrolled bill and the Governor's message are herewith transmitted.

Respectfully,

EDWARD ORPEN,

Secretary of the Council.

WYOMING TERRITORY, EXECUTIVE DEPARTMENT, }
Cheyenne, December 7th, 1869. }

To the Hon. Council of the Legislative Assembly of Wyoming Territory:

I respectfully return to the council, in which it originated, a bill entitled "an act establishing the judicial districts within the territory of Wyoming, and to provide for the holding of courts therein."

A law has already been passed prescribing the time of holding the supreme court of the territory. A comparison of this bill with that law, shows that the times for holding the supreme and district courts so nearly approach each other, that it would be difficult for both laws, if this should become a law, to be carried out. In one instance, by fixing the time of meeting of the district court, in what would be under the bill, a second judicial district, on the same day with the meeting of the supreme court, the judge of the second district is virtually prohibited from being present at the first term of the supreme court.

The decisions of this tribunal, on account of the great interests involved and the importance to be attached to them as precedents, ought not to have their force weakened by the absence compelled by law of any of its members.

The great unanimity with which the people in the two districts to be affected by this bill have opposed it, ought, in my opinion, to have some weight, the more especially as I am not aware of any particular advantage to be gained by the people or the territory in the administration of justice, by making the change proposed. I cannot therefore consistently, with my sense of duty, give my consent to a scheme, to prevent one of the judges from sitting on the supreme bench in utter defiance of the laws of congress, and of the will of the people.

There are other serious objections to this bill, but as its passage in its present form would prevent a full bench of the supreme court, and directly conflict with an act of the present legislature. I deem these reasons sufficient to justify me in withholding my approval.

J. A. CAMPBELL.

The question was put on the passage of the bill over the Governor's veto.

Ayes—Messrs. Abney, Herrick, Holbrook, Sheeks, Seabee, Strong, Wilson and Mr. Speaker.—8.

Nays—Messrs. Miller and Menefee—2.

Bill passed over the Governor's veto.

The following communication was read:

EXECUTIVE DEPARTMENT, CHEYENNE, W. T., }
December 8th, 1869.

To the Hon. Speaker of the House of Representatives:

SIR—I have the honor to inform the house of representatives, that by a clerical error in my communication of to day, I was made to inform the house that I had approved a bill entitled “an act for the appointment of officers for the county of Uinta.” This was a mistake. I have not approved the bill.

Very respectfully,

Your obedient servant,

J. A. CAMPBELL.

On motion of Mr. Sheeks the communication was laid on the table.

The following communication was read:

COUNCIL CHAMBER, CHEYENNE, W. T., }
December 8th, 1869.

To The Hon. Speaker of the House of Representatives:

SIR—I am instructed by the Council to transmit to your honorable body the enclosed copy of a resolution this day passed by the council.

Respectfully,

EDWARD ORPEN,

Secretary of the Council.

Resolved, That the secretary of this council is hereby directed to ask the house to appoint a committee of consultation upon the bills still pending in both houses undisposed of, and that the committee consist of three persons from each body, and meet at eight o'clock p. m. this day, in the council chamber.

On motion of Mr. Sheeks the committee asked for in the resolution was appointed.

The Speaker appointed Messrs. Sheeks, Menefee and Abney such committee.

Mr. Wilson presented the following report:

Mr. Speaker:

The committee of the whole have had council amendments to house bill No. 28, a bill for “an act to establish a code of civil procedure for the territory of Wyoming,” under consideration, and report that they have concurred in the following amendments:

Section 70, line 2, after the word “at” insert the words “or before.”

Section 249, line 6, insert the words “or judges,” after the word “court.”

Section 265, line 4, strike out the word "action," and insert the word "appointment."

Section 267, line 3, strike out the word "its" and insert "his."

Section 269, line 3, after the word "herein" insert the words "except as otherwise provided by law."

Section 281, line 10, insert the word "demonstrated" before the word "person."

Section 284, line 6, strike out the words "put the," and insert the word "question" before the word "of."

Section 288, line 6 from the bottom, insert the words "shall be."

Section 308, line 9, after the word "cannot," insert the words "or if the judge or court before whom the case was, or is being tried."

Section 219, add, "and may traverse by affidavit, the allegations in the affidavit upon which the attachment issued."

Section 315, lines 14 and 15, strike out all commencing at the word "and," and extending to the word "answer."

Section 318, line 1, strike out the word "that," (first word). Also strike out the word "subsist," and insert the word "exist" instead, in last line of 3d sub-division.

Section 329, last line, strike out the word "subsist," and insert instead the word "exist."

Section 358, line 4, strike out the word "chapter," and insert instead the word "title."

Section 408, line 1, insert the word "of" after "that."

Section 415, strike out the first word "that."

Section 436, line 3, strike out the word "clerk," and insert the word "court."

Section 519, strike out "twelfth section," and insert instead the words "five hundred and fourteenth section."

Section 520, make the first word "any."

Section 530, line 2, strike out the word "chapter," and insert instead the word "article."

Section 537, line 17, strike out the word "concluded," and insert instead the word "conducted."

Section 589, line 10, strike out the word "below" after the word "court."

Section 594, line 1, strike out the words "and certiorari," and insert "shall be allowed," also strike out the words "abolish but," in line 4, and insert the word "allowed." In line 3, after the word "cases" insert the words "to the supreme court," also insert the word "and" before the word "courts" in line 4, and strike out all of the said section after the word "allowed" in line 4.

Section 618, line 2, strike out the word "have" and insert the word "has" instead.

Section 620, insert the word "that" after the word "than" in line 2.

Section 651, last line, insert the word "judicial" before the word "discretion."

Section 661, line 2, strike out the word "chapter" and insert "title."

Section 686, line 3, strike out the word "and" and insert "which issue when determined."

Section 720, line 6, strike out the word "of" and insert "or" before the word "execution."

Section 32, line 14, insert the word "than" after the word "other."

Section 42, third line from the bottom, insert the words "the court" after the word "therefrom."

Section 202, strike out the last six lines.

Section 203, strike out all beginning with the word "in" in the third line from the bottom.

Section 339, add the following to the section: "And in case the answer of the garnishee shall not be satisfactory to the plaintiff, he may take issue thereon, by alleging that the said garnishee is indebted to, or has property in his hands belonging to the defendant, and such allegation shall make an issue to be tried like any other issue of fact, and judgment then enforced like any other judgment."

And refuse to concur in the other amendments adopted by the council.

P. S. WILSON,

Chairman of Committee.

Mr. Sheeks moved that those amendments concurred in, in committee of the whole be concurred in by the house, and those not concurred in, the council be requested to recede from. Carried.

On motion of Mr. Holbrook the house adjourned at 7:25 p. m.

L. L. BEDELL,

Chief Clerk of the House.

FORTY-EIGHTH DAY.

HOUSE OF REPRESENTATIVES, }
December 9th, 1869. }

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the chaplain.

Absent at roll call—Messrs. Haas Sebree and Wilson.

Journal read, corrected and approved.

Mr. Strong presented the following report:

Mr. Speaker:

Your committee on ways and means, to whom was referred council memorial No. 6, a memorial to the Post Master General, relative to increased mail facilities between the U. P. R. R. and the Sweetwater mining district, have had the same under consideration and report that we recommend its passage without amendments.

J. C. STRONG,
Chairman of Committee.

On motion of Mr. Miller, report adopted.

The following report was read:

Mr. Speaker:

Your special committee appointed to confer with a similar committee from the council, in relation to the differences between the two houses, on house bill No. 32, "an act to regulate the distribution of the laws" when printed, have to report that they recommend that the house concur in the amendments made by the council.

LOUIS MILLER,
Chairman of Committee.

On motion of Mr. Abney the report was adopted.

Mr. Sheeks presented the following report:

Mr. Speaker:

Your special committee to whom was referred council bill No. 77, a bill for "an act increasing the salaries of the judges of the supreme court," have had the same under consideration, and report it back to the house, recommending its passage with amendments.

BEN SHEEKS,
Chairman of Committee.

Section 4, line 1, insert the word "foregoing," between the words "the" and "provisions." Also add the following:

Section 5. The Hon. Wm. T. Jones, associate justice of the supreme court, shall hold the courts in the counties of Albany and Sweetwater, and law terms to be holden in the said county of Sweetwater, on the first Monday of every recurring March and September as now provided for by law, shall be dispensed with. All parts of acts in conflict with this section are hereby repealed.

On motion of Mr. Miller, the report and the amendments were adopted.

Mr. Douglass introduced the following resolution :

Be it Resolved by the Council and House of Representatives of the Territory of Wyoming :

That the present legislative assembly shall adjourn sine die, on Saturday, December 11th, at 12 o'clock p. m. Adopted.

Mr. Sheeks introduced house bill No. 52, a bill for "an act to repeal all the laws of Dakota, now in force in this territory.

Read first time.

On motion of Mr. Sebree the rules were suspended, and the bill read a second and third time by title and put upon its passage.

The question being, shall the bill pass?

Ayes—Messrs. Abney, Douglass, Herrick, Holbrook, Haas, Miller, Menefee, Sheeks, Sebree, Strong, Wilson and Mr. Speaker—12.

Nays—None.

Bill passed, title agreed to.

The following communication was read.

COUNCIL CHAMBER, CHEYENNE, W. T., }
December 8th, 1869. }

The Hon. Speaker of the House of Representatives :

SIR—I am instructed to inform the house that the council has passed council bill No. 97, a bill for "an act to amend an act entitled an act fixing the time and place of holding the first and subsequent terms of the supreme court, and defining its duties," approved November 29th, 1869. Also council bill No. 96, a bill for "an act giving liens to mechanics, artizans and other persons, upon property in certain cases."

Respectfully.

EDWARD ORPEN,
Secretary of the Council.

COUNCIL CHAMBER, CHEYENNE, W. T., }
December 8th, 1869. }

Hon. Speaker of the House of Representatives :

SIR—I am instructed by the council to inform your honorable body, that the council refuses to concur in your amendments to council bill No. 90, "an act apportioning the territory of

Wyoming into council and representative districts, and ask that your honorable body recede from your amendments.

Respectfully,

EDWARD ORPEN,

Secretary of the Council.

COUNCIL CHAMBER, CHEYENNE, W. T., }
December 8th, 1869. }

Hon. Speaker of the House of Representatives:

SIR—I am instructed to inform the House of the passage of council bill No. 98, a bill for “and act defining the official year of county and precinct officers, and for other purposes.” Also that the council concurs in your amendments to council bill No. 74, “an act to establish a territorial road from the town of Wyoming to the Last Chance gold mines.” Also the amendments to council bill No. 89, a bill for “an act fixing the time of convening the first and subsequent legislatures of the territory of Wyoming.”

Respectfully,

EDWARD ORPEN,

Secretary of the Council.

Council bill No. 97, a bill for “an act to amend an act entitled an act fixing the terms of the supreme court, and defining its duties,” was taken up.

Read first time.

On motion of Mr. Douglass the rules were suspended, and the bill read a second and third time by title, and put upon its passage.

A vote was taken on the passage of the bill.

Ayes—Messrs. Abney, Douglass, Herrick, Holbrook, Haas, Menefee, Sheeks, Miller, Strong, Wilson and Mr. Speaker—11.

Nays—None.

Bill passed, title agreed to.

Council bill No. 96, a bill for “an act giving liens to mechanics, artisans and other persons, on property in certain cases,” was taken up.

Read first time.

Mr. Seabee moved to suspend the rules and read the bill second and third time by title, and put upon its passage. Lost.

Mr. Abney moved the rules be suspended and the bill read a second time by title and referred. Lost.

Council bill No. 98, a bill for “an act defining the official year of county and precinct officers, and for other purposes,” was taken up.

Read first time.

On motion of Mr. Menefee the rules were suspended and the bill read a second and third time by title and put upon its passage.

The question being, shall the bill pass.

Ayes—Messrs. Douglass, Herrick, Haas, Menefee, Sheeks, Strong, Wilson and Mr. Speaker—8.

Nays—Messrs. Holbrook and Miller—2.

Bill passed, title agreed to.

Council bill No. 93, a bill for "an act to establish a bureau of immigration," was taken up.

Mr. Miller moved the rules be suspended and the bill read a third time by title, and put upon its passage. Lost.

Mr. Strong moved a reconsideration of the last vote. Carried.

Bill read third time by title, and put upon its passage.

The question being, shall the bill pass?

Ayes—Messrs. Abney, Douglass, Herrick, Holbrook, Haas, Miller, Menefee, Sheeks, Strong, Wilson and Mr. Speaker—11.

Nays—None.

Bill passed, title agreed to.

Council bill No. 77, a bill for "an act to increase the salaries of the judges of the supreme court of the territory of Wyoming," was taken up.

Mr. Menefee moved to lay the bill over for one day. Lost.

On motion of Mr. Abney the bill was made a special order for 2 p. m.

House bill No. 87, a bill for "an act to regulate marriages," was taken up.

On motion of Mr. Menefee the rules were suspended and the bill read a third time and put upon its passage.

A vote was taken on the passage of the bill.

Ayes—Messrs. Douglass, Holbrook, Haas, Menefee, Sheeks and Strong—6.

Nays—Messrs. Abney, Herrick, Wilson and Mr. Speaker—4.

Bill passed, title agreed to.

Council bill No. 71, a bill for "an act to create and regulate corporations," was taken up.

On motion of Mr. Strong the rules were suspended, and the bill was read a third time by title and put upon its passage.

The question being, shall the bill pass?

Ayes—Messrs. Abney, Douglass, Herrick, Holbrook, Haas, Miller, Strong, Wilson and Mr. Speaker—9.

Nays—Mr. Sheeks—1.

Bill passed, title agreed to.

Council bill No. 73, a bill for "an act relating to notaries public," was taken up.

On motion of Mr. Abney the rules were suspended, and the bill read third time by title and put upon its passage.

Ayes—Messrs. Abney, Herrick, Holbrook, Haas, Sheeks, Strong, Wilson and Mr. Speaker—8.

Nays—None.

Bill passed, title agreed to.

On motion of Mr. Wilson the house reconsidered its action in relation to council bill No. 96, a bill for "an act giving liens to mechanics, artizans and other persons," and the bill was taken up for consideration.

On motion of Mr. Haas the rules were suspended and the bill read a second and third time by title, and put upon its passage.

The question being, shall the bill pass?

Ayes—Messrs. Abney, Herrick, Haas, Menefee, Sheeks, Sebree, Strong and Wilson—7.

Nays—Messrs. Abney, Holbrook and Miller—3.

Mr. Sheeks presented the following report.

Mr. Speaker:

Your committee of conference appointed to confer with a similar committee from the council, to consider the differences existing between the two houses in regard to council bill No. 37, a bill for "an act defining the jurisdiction of justices of the peace, &c.," have to report that they have agreed to recommend that the house recede from its amendments to section 33 and 68, and that the council concur in all the other house amendments.

BEN SHEEKS,

Chairman of Committee.

On motion of Mr. Strong, report adopted.

The Speaker appointed Messrs. Strong and Wilson additional members of a conference committee, appointed to confer with a similar committee appointed by the council to inquire into the number of bills still pending in both houses.

On motion of Mr. Menefee the house took a recess till 2 p. m.

AFTERNOON SESSION.

House met at 2 p. m.

Speaker in the chair.

Absent at roll call—Messrs. Haas, Sebree and Wilson.

The following communication was read:

EXECUTIVE DEPARTMENT, CHEYENNE, W. T., }
December 9th, 1869.

To the Hon. Speaker of the House of Representatives:

SIR—I have the honor to inform the house of representatives, that I have approved:

"An act to establish a territorial road from Sherman to the Colorado line, in the direction of the North Park gold mines."

Very respectfully,

Your obedient servant,

J. A. CAMPBELL.

On motion of Mr. Douglass the house resolved itself into committee of the whole for the consideration of council bill No.

77, a bill for "an act to increase the salaries of the judges of the supreme court."

Mr. Herrick in the chair.

After some time spent in consideration of the bill, the committee arose and through their chairman reported as follows:

Mr. Speaker:

The committee of the whole have had council bill No. 77 under consideration, and report it back to the house, recommending its passage.

WM. HERRICK,

Chairman of Committee.

On motion of Mr. Douglass, report of committee adopted.

On motion of Mr. Miller the rules were suspended, and the bill read a third time and put upon its passage.

The question being, shall the bill pass?

Ayes—Messrs. Abney, Douglass, Herrick, Holbrook, Haas, Miller, Menefee, Sheeks, Strong, Sebree, Wilson and Mr. Speaker—12.

Nays—None.

Bill passed, title agreed to.

The following communication was read:

EXECUTIVE DEPARTMENT, CHEYENNE, W. T., }
December 9th, 1869.

To the House of Representatives of Wyoming Territory:

I have carefully examined the bill entitled "an act to establish the boundary lines of Albany county, and for the appointment of officers therein," and regret that I cannot consistently with my sense of duty to the people of the territory, and to the office I have the honor to hold, approve it.

My principal objection to the bill is in the fact, that in it the legislature arrogates to itself a power which is not conferred by either the constitution or the organic act of the territory, or recognized by any theory of government—the power of legislating certain individuals into office. Even if the legislature had this power, its exercise under present circumstances, would be of doubtful policy. I beg leave respectfully to call attention to the following extract from my message to the legislative assembly at the commencement of its present session: "On my first arrival in the territory, a number of cases were reported to me of vacancies in office, and of persons holding office under doubtful authority. In some cases I have filled the vacancies by appointment, and I have issued new commissions to those whose authority to act as officers was doubtful. In other cases where there appeared to be no immediate necessity for filling the offices, I have made no appointments, and the vacancies still exist."

My reason for pursuing the course above indicated, was because I could not see that any good would be accomplished by removing faithful and competent officers, who were familiar with their duties, and putting in their places men who, however competent, would have to acquaint themselves with the duties of their new positions, only perhaps to find themselves superseded in a short time, when the people, the rightful source of power, and to whom the election of these officers properly belongs, had opportunity of declaring their wishes. These were the reasons that influenced me in refraining from the exercise of the power vested in me to remove the incumbents of the public offices. The fact that the boundaries of the counties are slightly changed, does not affect this proposition. The old officers of the county, which forms almost all of the new ones, it appears to me it would be policy to retain. Once admit that a change of the boundary lines of a county necessitates or authorizes a change of officers, and each succeeding legislature would have it in its power to change county boundaries and county officers throughout the territory, and in this way prevent the people of the different counties from ever having a voice, except indirectly and through the legislature in the election of their officers.

If, however, I were differing with you simply upon a matter of policy, I would be distrustful of my own opinion, when opposed to your united wisdom, and would be inclined to defer my judgment to yours. But there are other and more serious objections to the proposed law. Besides being impolitic, it is in direct violation of the organic act of the territory, which in section 7, provides, "That all township, district and county officers, not herein otherwise provided for, shall be appointed or elected, as the case may be, in such manner as shall be provided by the governor and legislative assembly of the territory. The governor shall nominate, and by and with the consent of the council appoint all officers not herein otherwise provided for, and in the first instance the governor alone may appoint all such officers, who shall hold their offices until the end of the first session of the legislative assembly." It will be seen that there is no provision in the organic act for conferring office upon any one, except by appointment by the executive, from the time of the organization of the territory, until a law has been passed by the governor and legislative assembly, providing for their appointment by the governor, or their election by the people. If the legislature fails to provide by law for filling the township, district and county officers before the next general election, it will under the provisions of the section I have quoted, become the duty of the executive to appoint the officers, as they are officers "not otherwise provided for" in the organic act.

No possible construction that can be placed upon this section, will give to the legislature the power to appoint these officers.

The legislature may provide by law for their appointment by the governor with the advice and consent of the council, or by the governor alone, or for their election by the people, and that is the full extent of legislative authority.

The idea of appointing officers by the legislature, is so repugnant to the theory and practice of our government, that it seems scarcely to admit of argument. Once admitted, the foundations of our republican institutions are sapped. The executive officers deriving their authority, and holding their positions by sufferance of the legislature, have no independent and distinct existence, and by this means the people are deprived of their rights by the loss of one of the checks and balances of our political system.

Sound policy as well as a proper regard for the fundamental principles of our government, would dictate that where an election by the people, the true and legitimate source of all power, cannot be had, the appointment of all officers—and especially those charged with the execution of the laws should be left with the executive.

This is a responsibility I have no desire to assume or to have forced upon me, and I trust the legislature may yet see the propriety of permitting the people to have at an early day, an opportunity of electing their own officers.

I cannot give my assent to a law that deprives them of a right to which under the organic act, they are entitled.

(Signed)

J. A. CAMPBELL.

On motion of Mr. Haas the veto message and the bill to which it referred, were made a special order for 7 p. m.

On motion of Mr. Douglass the house resolved itself into committee of the whole for the consideration of the council amendments to house bill No. 21, a bill for "an act regulating the fees of county officers.

Mr. Douglass in the chair.

After some time spent in consideration of the bill, the committee arose and through their chairman reported as follows.

Mr. Speaker:

The committee of the whole have had house bill No. 21, a bill for "an act to regulate the fees of county officers," and the council amendments to the same, under consideration, and report that they refuse to concur in any of the amendments adopted by the council, and recommend that the council be requested to recede from their amendments.

J. N. DOUGLASS,

Chairman of Committee.

On motion of Mr. Holbrook, report was adopted.

The following communication was read.

WYOMING TERRITORY, EXECUTIVE DEPARTMENT, }
Cheyenne, December 9th, 1869. }

To the Hon. Speaker of the House of Representatives:

SIR—I have the honor to inform the house of representatives in which it originated, that the bill entitled “an act regulating divorces and alimony,” having remained in the governor’s possession for five days without having received his approval, or being returned to the house with his objections thereto, has become a law.

Very respectfully,

Your obedient servant,

EDWARD M. LEE,

Secretary of Territory.

The following communication was read:

COUNCIL CHAMBER, CHEYENNE, W. T. }
December, 9th, 1869. }

To the Hon. Speaker of the House of Representatives:

SIR—I am instructed to inform the House that the Council has passed council bill No. 100, “an act correcting certain words improperly used in any act, directing the mode of correcting, and for other purposes.” Also that the council has passed over the governor’s veto, by a vote of ayes 7, nays 2, “an act entitled an act fixing the compensation of the members, clerks and other officers of the legislative assembly.” Also that the council refuses to concur in the house amendments to council bill No. 95, a bill for “an act to provide city officers for the city of Cheyenne,” by striking out section 2 of said bill; and respectfully request that your honorable body recede from said amendment.

Bills herewith transmitted.

Respectfully,

EDWARD ORPEN,

Secretary of the Council.

On motion of Mr. Herrick the house recedes from it amendments to council bill No. 95, as requested in the communication.

Council bill No. 100, a bill for “an act to provide for the correcting of certain words improperly used in any acts, and directing the mode of correcting them,” was taken up.

Read first time.

Mr. Holbrook moved to lay the bill on the table. Lost:

Mr. Abney moved the rules be suspended and the bill read a second time by title, and referred to a special committee, of which Mr. Herrick shall be chairman. Lost.

Mr. Miller moved the rules be suspended, and the bill read a second and third time by title, and put upon its passage. Lost.

Mr. Haas presented the following report:

Mr. Speaker:

Your committee on enrolled bills have examined house bill No. 31, a bill for "an act to regulate the distribution of the laws of the territory of Wyoming," and find the same correctly enrolled.

H. HAAS,

Chairman of Committee.

Mr. Seabee presented the following report:

Mr. Speaker:

Your committee on judiciary, to whom was referred council bill No. 83, a bill for "an act defining crime, and providing for the punishment thereof," have had the same under consideration, and report it back, recommending its passage.

BEN SHEEKS,

Chairman of Committee.

On motion of Mr. Douglass, report adopted.

On motion of Mr. Haas the rules were suspended, and the bill read a third time by title and put upon its passage.

The question being, shall the bill pass?

Ayes—Messrs. Douglass, Herrick, Holbrook, Haas, Miller, Sheeks, Strong and Mr. Speaker—8.

Nays—None.

Bill passed, title agreed to.

The speaker announced that he had signed "an act to regulate the distribution of the laws of the territory."

"An act to establish the courts of, and define the jurisdiction of justices of the peace."

"An act to provide a territorial and county revenue."

"An act to incorporate the city of Cheyenne."

"An act to establish a fence law in Albany, Carbon and Uinta counties."

"An act relating to descents and distributions of property."

"An act concerning the alienation of deeds, of the proof and recording of conveyances, and cancelling of mortgages."

"An act fixing the time of convening of the council and house of representatives of the territory of Wyoming."

On motion of Mr. Sheeks the house took a recess till 7 p. m

EVENING SESSION.

House met at 7 p. m.

Speaker in the chair.

Absent at roll call—Messrs. Menefee, Seabee and Haas.

Mr. Menefee was excused.

On motion of Mr. Strong the house resolved itself into committee of the whole for the consideration of the governor's veto,

of an act entitled "an act for the establishment of the boundary lines of Albany county, and for the appointment of officers therein."

Mr. Strong in the chair.

The committee arose, having taken no action on the bill or the veto, and reported the bill back to the house for its action thereon.

On motion of Mr. Douglass the report of the committee was adopted.

On motion of Mr. Strong the bill was taken up for consideration.

The question was put on the passage of the bill over the governor's veto.

Voting in the affirmative—Messrs. Abney, Douglass, Herrick, Holbrook, Miller, Sheeks, Strong, Wilson and Mr. Speaker—9.

Nays—None.

The bill was passed over the governor's veto.

The following communication was read:

EXECUTIVE DEPARTMENT, CHEYENNE, W. T., }
December 9th, 1869.

To the House of Representatives of Wyoming Territory:

I respectfully return to the house of representatives, in which it originated, without my approval, a bill entitled "an act to organize the county of Carbon, and to establish the boundary lines thereof, and for the appointment of officers therein." My objections to this bill are fully set forth in my message of this date, returning to the house a bill entitled "an act to establish the boundary lines of Albany county, and for the appointment of officers therein," to which, attention is respectfully invited.

(Signed)

J. A. CAMPBELL.

The question was put on the passage of the bill entitled "an act to organize the county of Carbon, and to establish the boundary lines thereof, and to provide for the appointment of officers therein," over the governor's veto.

Voting in the affirmative—Messrs. Abney, Douglass, Herrick, Holbrook, Miller, Sheeks, Strong, Wilson and Mr. Speaker—9.

Bill passed over governor's veto.

COUNCIL CHAMBER, CHEYENNE, W. T., }
December 9th, 1869.

To the Hon. Speaker of the House of Representatives:

SIR—I am instructed by the council to inform the house, that the council has passed council memorial and joint resolution No. 21, in reference to Indians. Also council bill No. 101, a

bill for "an act funding the debt of the territory of Wyoming."
Bills herewith transmitted.

Respectfully,

EDWARD ORPEN,

Secretary of the Council.

Council memorial and joint resolution No. 12, in relation to Indians, was taken up and read first time.

Mr. Strong moved to postpone the further consideration of the memorial, and that it be laid on the table. Lost.

Mr. Sheeks moved the consideration of the memorial be postponed. Lost.

Mr. Abney moved the rules be suspended, and the memorial be read a second and third time by title and adopted. Carried.

Read second and third time by title and adopted.

The following message was read:

COUNCIL CHAMBER, CHEYENNE, W. T., }
December 9th, 1869. }

Hon. Speaker of the House of Representatives:

SIR—I am instructed to inform the House that the council concurs in all your amendments to council bill No. 71. Also, that the council has passed house bill No. 37, "an act to regulate marriages with the following amendments:

Strike out the words "probate judge" wherever they occur, and insert the words "county clerk." Also strike out "twenty-one" in section 2, line 3, and insert instead the word "eighteen." Also strike out the word "eighteen" and insert "sixteen" in line 4.

Also that the council refuse to concur in adding section 15 and 16 to council bill No. 73, "an act respecting notaries public," and respectfully ask that your honorable body recede from your amendments to the bill.

Respectfully,

EDWARD ORPEN,

Secretary of the Council.

Mr. Wilson moved that the house insist on its amendments, and that a committee of conference be asked from the council on the bill. Carried.

Messrs. Strong, Douglass and Haas were appointed a committee on the part of the house.

Council bill No. 102, a bill for "an act providing for the collection of taxes heretofore assessed and levied in this territory," was taken up and read first time.

On motion of Mr. Strong the rules were suspended and the bill read a second and third time by title and put upon its passage.

The question being, shall this bill pass?

Ayes—Messrs. Abney, Douglass, Herrick, Haas, Holbrook, Miller, Sheeks, Wilson and Mr. Speaker—9

Nays—None.

Bill passed, title agreed to.

Council bill No. 101, a bill for "an act to provide for funding the territorial debt," was taken up.

Read first time.

Mr. Haas moved the rules be suspended and the bill read a second time by title and referred. Lost.

On motion of Mr. Wilson the rules were suspended, and the bill read a second time by title, and made a special order for 11 a. m. to-morrow.

The speaker announced that he had signed the following enrolled bills:

"An act to create and regulate corporations."

"An act defining the official year of county and precinct officers."

"An act giving liens to mechanics, artizans and other persons in certain cases."

"A memorial to the Hon. John A. J. Cresswell, Postmaster General."

"An act to amend an act entitled an act fixing the terms of the supreme court of the territory of Wyoming."

"A memorial to the President of the United States, praying for the abrogation of a treaty made with the Shoshone Indians."

Council bill No. 20, a bill for "an act creating the several county officers, and defining their duties," was taken up and read third time by title and passed.

Ayes—Messrs. Abney, Douglass, Haas, Holbrook, Miller, Sheeks, Strong, Wilson and Mr. Speaker—9.

Nays—Mr. Herrick—1.

Bill passed, title agreed to.

On motion of Mr. Abney, council memorial and joint resolution No. 10 to congress, praying for an appropriation for the erection of a capitol building, was taken up and adopted.

Ayes—Messrs. Abney, Douglass, Herrick, Haas, Miller, Sheeks, Strong, Wilson and Mr. Speaker—9.

Nays—Mr. Holbrook—1.

Bill passed, title agreed to.

On motion of Mr. Sheeks the house took a recess till 9 p. m.

House met at 9 p. m.

On motion of Mr. Miller the house took a recess for fifteen minutes.

House met at 9:15 p. m.

Speaker in the chair.

Absent at roll call—Messrs. Haas, Menefee, Sebree and Wilson.

On motion of Mr. Holbrook, absentees were sent for.

On motion of Mr. Strong, further proceedings under the call were dispensed with.

The following communications were received:

COUNCIL CHAMBER, CHEYENNE, W. T., }
December 9th, 1869.

The Hon. Speaker of the House of Representatives :

SIR—I am instructed to inform the house that the council has passed council bill No. 87, "an act in relation to the organization of the county of Sweetwater, and providing for the appointment of officers therein," over the governor's veto by a vote of ayes 9, nays none. Also has passed council bill No. 79, a bill for "an act providing county officers for Laramie county, to establish the county seat of said county, and for other purposes," over the governor's veto by a vote of ayes 9, nays none. The governor's objections and the bills are herewith transmitted."

Respectfully.

EDWARD ORPEN,
Secretary of the Council.

The governor's messages containing his objections to the bills referred to in the foregoing communication, were read to the house.

The house then proceeded to reconsider the said bills.

The bill entitled "an act in relation to the organization of the county of Sweetwater, and to provide for the appointment of officers therein," was taken up, and the question put on the passage of the bill, the governor's veto to the contrary notwithstanding.

For the affirmative—Messrs. Abney, Douglass, Herrick, Holbrook, Haas, Miller, Menefee, Sheeks, Strong, Wilson and Mr. Speaker—11.

Nays—None.

Bill passed over the governor's veto.

The bill entitled "an act to provide county officers for the county of Laramie, to establish the county seat of said county and for other purposes," was taken up, and the question put on the passage of the bill over the governor's veto.

Ayes—Messrs. Abney, Douglass, Herrick, Haas, Holbrook, Miller, Menefee, Sheeks, Strong, Wilson and Mr. Speaker—11.

Nays—None.

The bill passed over the governor's veto.

The following communication was read:

COUNCIL CHAMBER, CHEYENNE, W. T., }
December 9th, 1869.

Hon. Speaker of the House of Representatives :

SIR—I am instructed to inform the house that the council adheres to the amendments to house bill No. 21, and respectfully

ask for a committee of conference, to meet a similar committee that has been appointed by the council. Also have passed council bill No. 67, a bill for "an act to restrict a certain immorality," and have receded from their amendments to house bill No. 28, a bill for "an act to establish a civil code for Wyoming territory," in which the house did not concur.

Respectfully,

EDWARD ORPEN,

Secretary of the Council.

The speaker appointed Messrs. Miller, Strong and Holbrook, a committee in accordance with the request contained in the communication.

Council bill No. 67, a bill for "an act to restrict a certain immorality," was taken up and read first time.

Mr. Strong moved the bill be read a second and third time by title, and put upon its passage. Carried.

Bill read second time by title.

Mr. Sheeks moved to amend the bill by striking out the enacting clause. Lost.

Mr. Menefee moved to amend the bill by striking out section 2. Lost.

Bill read a third time by title and a vote taken on its passage.

Ayes—Messrs. Haas, Strong and Wilson—3.

Nays—Messrs. Abney, Douglass, Herrick, Holbrook, Miller, Menefee, Sheeks and Mr. Speaker—8.

Bill did not pass.

On motion of Mr. Sheeks the rules were suspended, and the house adjourned at 10 p. m. until 9 a. m. to-morrow morning.

L. L. BEDELL,

Chief Clerk of the House.

FORTY-NINTH DAY.

HOUSE OF REPRESENTATIVES, }
December 10th, 1869. }

House met pursuant to adjournment.

Called to order by the chief clerk.

Prayer by the chaplain.

On motion of Mr. Miller the house took a recess for 15 minutes.

House met at 9:15 a. m.

Called to order by the chief clerk.

On motion of Mr. Strong the house took a recess till 10 a. m.
House met at 10 a. m.

Speaker in the chair.

Absent at roll call—Messrs. Abney and Menefee.

Journal read and approved.

Mr. Strong presented the following report:

Mr. Speaker:

Your conference committee to whom was referred house bill No. 21, a bill for "an act to regulate the fees of county officers," have conferred with the council committee, and recommend that the house concur in the council amendments.

We have also examined council bill No. 73, a bill for "an act relating to notaries public, and recommend substitute sections for sections 15 and 16, and recommend the passage of the bill with those amendments.

J. C. STRONG,

Chairman of Committee.

On motion of Mr. Douglass, report adopted.

Mr. Miller introduced the following resolution:

Whereas, 'The honorable speaker of the house of representatives, of the first session of the legislative assembly of the territory of Wyoming, has by his gentlemanly, courteous and impartial manner in which he has performed the duties of his office as speaker of the house, merited the following: Therefore Be it Resolved by the House of Representatives of the Territory of Wyoming:

That the thanks of this house be tendered to him for the able, prompt, and impartial manner in which he has performed his duties, and that we, the members of this house will ever remember his conduct towards us as members, with feelings of satisfaction.

On motion of Mr. Douglass the rules were suspended, and the resolution read a second time and adopted unanimously.

On motion of Mr. Abney, the special order set for this hour, council bill No. 101, a bill for "an act to provide for funding the debt of the territory," was taken up, and the house resolved itself into committee of the whole for the consideration of the bill.

Mr. Abney in the chair.

After some time spent in consideration of the bill, the committee arose and through their chairman reported as follows:

Mr. Speaker:

The committee of the whole have had council bill No. 101 under consideration, and report it back to the house recommending its passage.

J. C. ABNEY,

Chairman of Committee.

On motion of Mr. Douglass, report adopted.

On motion of Mr. Wilson there was a call of the house, and absentees sent for.

On motion of Mr. Abney all further proceedings under call of the house were dispensed with.

Mr. Wilson made a report.

Mr. Speaker:

Your committee of conference on house substitute for council bill No. 62, have had the same under consideration, and report as follows: The committee recommend the passage of the original bill as amended.

P. S. WILSON,

Chairman of Committee.

Mr. Herrick moved to suspend the rules and take up council bill No. 62, and read it third time by title, and put upon its passage. Lost.

Mr. Sebree moved to postpone the consideration of the bill till 2 p. m. Lost.

The following resolution was read:

Resolved, That the thanks of this house be extended to our worthy and esteemed chaplain, Rev. Mr. Poole, for his attention to his duties, and spiritual care over its members.

On motion of Mr. Sheeks, resolution adopted.

On motion of Mr. Sheeks, council bill No. 86, a bill for "an act to provide for the holding of elections, and the manner of conducting the same," was taken up and read for information.

Mr. Speaker:

Your committee on enrolled bills have examined house bill No. 28, "an act to establish a code of civil procedure for Wyoming territory," and "an act to regulate marriages," and report them back to the house correctly enrolled.

H. HAAS.

Chairman of Committee.

The speaker signed the above bills.

On motion of Mr. Abney council bill No. 86 was laid on the table, and the clerk instructed to inform the council of the action of the house.

Council bill No. 62 was taken up and read for information.

On motion of Mr. Wilson the bill was read a third time by title and put upon its passage, and passed.

Ayes—Messrs. Abney, Miller, Menefee, Strong, Wilson and Mr. Speaker—6.

Nays—Messrs. Douglass, Herrick, Holbrook and Sheeks—4.

On motion of Mr. Sebree the house reconsidered its action on council bill No. 191, and it was made a special order for 2 p. m.

The following message was received:

COUNCIL CHAMBER, CHEYENNE, W. T., }
December 10th, 1869. }

Hon. Speaker of the House of Representatives:

SIR—I am instructed to inform the House that the council has passed council memorial No. 13, a memorial to congress, asking for increased compensation for the members and officers of the legislative assembly of the territory of Wyoming; also house bill No. 9, a bill for "an act creating the office of commissioner of statistics and immigration, and for filling the same," with the following amendments: Section 7. Said commissioner shall be an analytical chemist, and shall also be styled ex officio territorial assayer, who shall hold his office at the seat of government, and may make assays of all minerals, waters and earths, that may be required of him, giving to the owner thereof, an analysis of all its component parts, for which he shall be entitled to charge the owner of such mineral, water or earth, the sum of three dollars for each assay so made.

Bills herewith transmitted.

Respectfully,

EDWARD ORPEN,

Secretary of the Council.

Council memorial No. 13 was taken up and read first time.

On motion of Mr. Miller the memorial was read a second and third time and adopted.

Ayes—Messrs. Abney, Douglass, Herrick, Holbrook, Miller, Menefee, Sheeks, Sebree, Strong and Mr. Speaker—10.

Nays—Mr. Wilson—1.

The speaker announced that he had signed "an act to provide city officers for the city of Cheyenne."

Council amendments to house bill No. 9, a bill for "an act to create the office of commissioner of statistics and immigration," were taken up.

Mr. Miller moved the house concur in the council amendments. Lost.

The clerk was instructed to request the council to recede from its amendments.

On motion of Mr. Sheek council bill No. 68, a bill for "an act to organize and establish school districts and schools," was taken up.

On motion of Mr. Miller the rules were suspended, and the bill read a third time by title and put upon its passage.

A vote was taken on the passage of the bill.

Ayes—Messrs. Abney, Douglass, Herrick, Haas, Miller, Menefee, Sheeks, Sebree, Strong, Wilson and Mr. Speaker—11.

Nays—Mr. Holbrook—1.

Bill passed, title agreed to.

Mr. Miller introduced the following resolution:

Resolved, That the house tender to the Hon. E. M. Lee, secretary of this territory, their thanks for the courteous treatment which they have experienced at his hands, and that we acknowledge with pleasure the distinguished ability with which he has presided over his department of the territorial government, during the first session of the legislative assembly.

On motion of Mr. Holbrook the resolution was read a second time and adopted.

Mr. Strong introduced house joint resolution No. 10, for the appropriation of money for objects therein named.

Read first time.

On motion of Mr. Miller the rules were suspended and the resolution read a second and third time by title and adopted.

Ayes—Messrs. Abney, Douglass, Herrick, Holbrook, Haas, Miller, Menefee, Sheeks, Sebree, Strong, Wilson and Mr. Speaker—12.

Nays—None.

Mr. Wilson moved the house reconsider its action on council bill No. 68, the school law. Lost.

Mr. Herrick introduced the following resolution:

Resolved, That the thanks of this house be tendered to the chief and assistant clerks of this house and the sergeant-at-arms, for the attentive manner in which they have performed the duties of their several places as officers of this house.

On motion of Mr. Holbrook the resolution was adopted unanimously.

Mr. Miller moved the house take up council bill No. 56, a bill for "an act to provide for the organization of the enrolled and volunteer militia." Lost.

The following communication was read.

CHEYENNE, W. T., December 10, 1869.

Gentlemen of the House of Representatives:

As this is the last day of the session, I, as sergeant-at-arms of your honorable body, beg leave to assure you, that my time spent as sergeant-at-arms of your honorable body, has been one of the happiest portions of my life. I have always received from your honorable body the utmost kindness, from the beginning of the session to the present, and should we never meet again, your humble servant will always hold you in high esteem for your forbearance to one who acknowledges the humble position he occupies.

WM. BAKER,

Sergeant-at-arms of the House.

On motion of Mr. Sheeks the house took a recess at 12 m. till 1:30 p. m.

AFTERNOON SESSION.

House met at 1:30 p. m.

Speaker in the chair.

Absent at roll call—Messrs. Abney, Haas and Wilson.

On motion of Mr. Miller the special order set for 2 p. m. was taken up.

On motion of Mr. Strong the house resolved itself into committee of the whole for the consideration of the special order, council bill No. 101, a bill for "an act to provide for funding the debt of the territory.

Mr. Strong in the chair.

After some time spent in consideration of the bill, the committee arose and through their chairman reported the bill back to the house recommending its passage.

On motion of Mr. Douglass the report was adopted.

On motion of Mr. Wilson the rules were suspended, and the bill read a third time by title and put upon its passage.

A vote was taken on the passage of the bill,

Ayes—Messrs. Abney, Douglass, Herrick, Haas, Holbrook, Miller, Menefee, Sheeks, Strong and Mr. Speaker—10.

Nays—Messrs. Seabee and Wilson—2.

Bill passed, title agreed to.

The following communication was received from the governor.

EXECUTIVE DEPARTMENT, CHEYENNE, W. T., }
December 9th, 1869.

To the Hon. Speaker of the House of Representatives:

SIR—I have the honor to inform the house of representatives, that I have approved:

"An act to regulate the distribution of the laws of Wyoming territory."

"An act regulating the fees of officers."

Very respectfully,

Your obedient servant,

J. A. CAMPBELL.

The speaker announced that he had signed "an act creating the several county officers and defining their duties."

On motion of Mr. Miller the house took a recess at 2:10 p. m. subject to the call of the speaker.

House was called to order at 2:40 p. m.

Absent, Messrs. Abney, Menefee, Seabee and Wilson.

The sergeant-at-arms was dispatched for absentees.

The following message was received:

COUNCIL CHAMBER, CHEYENNE, W. T., }
December 10th, 1869.

Hon. Speaker of the House of Representatives:

SIR—I am instructed to inform the house that the council has passed, notwithstanding the governors veto, "an act to restrict gaming," by a vote of ayes 6. nays 2.

Bill and objections thereto herewith transmitted.

Respectfully,

EDWARD ORPEN,

Secretary of the Council.

WYOMING TERRITORY, EXECUTIVE DEPARTMENT, }
Cheyenne, December 10th, 1869.

To the Hon. Council of the Legislative Assembly of Wyoming Territory:

I am constrained by what I believe to be a proper regard for the public morals to return to the council in which it originated, without my approval, a bill entitled "an act to restrict gaming."

If I could convince myself that the passage of a law of this character would restrict gambling, I would be glad to see it passed, although I would much prefer a law making the keeping of a gambling house a criminal offense, and providing for the punishment of the criminal. But I fear that the licensing of crime would not in any way restrict it. Rather, I believe, that when this vice is allowed to parade itself under the protection of law, the open and brilliantly lighted gambling hells will allure to destruction many, who, not having the temptation placed prominently before them, would never otherwise have yielded to it.

There is no doubt in the mind of any person that gambling is vice ruinous to the morals of all who make a business of it, and and to the fortunes of their dupes and victims. I can see no reasons for licensing this special vice, that would not apply with equal force to the licensing of any other violation of the moral law. We may not be able to prevent or even to restrict the practice of vice, but we can at least pay the compliment to virtue of endeavoring to do so.

(Signed)

J. A. CAMPBELL.

On motion of Mr. Abney the consideration of the bill and message was postponed till 3:30 p. m.

The following communication was read:

COUNCIL CHAMBER, CHEYENNE, W. T., }
December 10th, 1869.

To the Hon. Speaker of the House of Representatives:

SIR—I am instructed by the council to inform the house, that the council refuse to concur in house amendment to council

bill No. 77, a bill for "an act increasing the salaries of the judges of the supreme court," and respectfully ask that the house recede from its amendment.

Respectfully.

EDWARD ORPEN,

Secretary of the Council.

On motion of Mr. Strong the house recedes from its amendment, and the clerk was instructed to immediately inform the council of the action of the house.

A message from the council.

COUNCIL CHAMBER, CHEYENNE, W. T., }
December 10th, 1869.

The Hon. Speaker of the House of Representatives :

SIR—I am instructed to inform the house of the passag by the council of council memorial and joint resolution No. 6, praying for increased mail facilities in Wyoming territory. Also council memorial and joint resolution No. 12, praying that Wyoming territory be organized into a land district, and for the appointment of a surveyor general, and location of a land office therein.

Respectfully,

EDWARD ORPEN,

Secretary of the Council.

Council memorial No. 6, praying for increased mail facilities, was taken up and read first time.

On motion of Mr. Abney the rules were suspended, and the memorial read a second and third time by title and adopted.

Ayes—Messrs. Abney, Herrick, Holbrook, Miller, Seabee and Mr. Speaker—6.

Nays—Messrs. Douglass, Haas and Strong—3.

Council memorial No. 12, praying for a land office, &c., was taken up and read first time.

On motion of Mr. Miller the rules were suspended and the memorial and joint resolution was read a second and third time, and the question put upon its adoption.

Ayes—Messrs. Herrick, Miller, Sheeks, Strong and Mr. Speaker—5.

Nays—Messrs. Abney, Douglass, Holbrook, Menefee and Seabee—5.

Memorial not adopted.

A message from the council.

COUNCIL CHAMBER, CHEYENNE, W. T. }
December, 10th, 1869.

To the Hon. Speaker of the House of Representatives :

SIR—I am instructed to inform the House that the Council has passed council bill No. 102, a bill for "an act fixing the time

of taking effect of certain acts therein named." Also that the council refuse to concur in house amendments to council bill No. 62, "an act limiting the rights of action in certain cases therein named," and ask a committee of conference on the bill.

Respectfully,

EDWARD ORPEN,

Secretary of the Council.

The speaker appointed Messrs. Sheeks, Strong and Sebree, a committee in accordance with the request contained in the communication.

The speaker announced that he had signed "an act to define crime, and to provide for the punishment of the same."

Council bill No. 103, a bill for "an act fixing the time of taking effect of certain acts therein named," was taken up and read first time.

On motion of Mr. Abney the rules were suspended and the bill read a second and third time by title and put upon its passage.

The question being, shall this bill pass?

Ayes—Messrs. Abney, Herrick, Miller, Menefee, Sheeks, Strong and Mr. Speaker—8.

Nays—Mr. Holbrook—1.

Bill passed, title agreed to.

Mr. Strong reported as follows:

Mr. Speaker:

Your committee on ways and means, to whom was referred house bill No. 50, a bill for "an act to provide that women who exercise the rights of the elective franchise shall perform all other duties of citizens," have examined the same, and report it back to the house without amendment, and recommend its passage.

J. C. STRONG,

Chairman of Committee.

On motion of Mr. Abney the report was laid on the table.

On motion of Mr. Miller, house bill No. 50 was laid on the table.

Recess for fifteen minutes.

The message which was received from the council, containing the governor's objections to council bill No. 47, a bill for "an act to restrict gaming," was taken up for reconsideration.

The question being, shall this bill pass, the governor's veto to the contrary notwithstanding?

Ayes—Messrs. Abney, Douglass, Herrick, Holbrook, Menefee, Sheeks, Sebree, Strong and Mr. Speaker—9.

Nays—Messrs. Haas and Wilson—2.

Bill passed over the governor's veto.

A message was received from the council.

COUNCIL CHAMBER, CHEYENNE, W. T., }
December 10th, 1869.

To The Hon. Speaker of the House of Representatives:

SIR—I am instructed by the Council to request that you will send to this council, all bills, memorials and resolutions, laying on the table of the house.

Respectfully,

EDWARD ORPEN,

Secretary of the Council.

The speaker announced that he had signed "an act to provide for the organization of schools, school districts, and for other purposes."

Mr. Sheeks presented a report.

Mr. Speaker:

Your committee of conference, appointed to confer with a similar committee from the council, in relation to the matters of difference between the two houses relative to council bill No. 62, a bill for "an act limiting the rights of action in certain cases, therein named," have to report that the house committee recommend the house adhere to its amendments, and the council committee agree to recommend that the council concur.

BEN SHEEKS,

Chairman of Committee.

On motion of Mr. Strong the report was adopted.

On motion of Mr. Strong the house took up council bill No. 86, a bill for "an act to provide for holding elections, and the manner of conducting the same," and it was read a third time and put upon its passage. The question being, shall the bill pass?

Ayes—Messrs. Abney, Douglass, Herriek, Holbrook, Miller, Menefee, Sheeks, Sebrce, Strong and Mr. Speaker—10.

Nays—Mr. Haas—1.

Bill passed, title agreed to.

Mr. Douglass introduced the following resolution:

Resolved, That the house reconsider its action of the previous day, in relation to the time of adjournment of the present session of the legislative assembly, and that the time of adjournment shall be this evening at 12 o'clock p. m.

On motion of Mr. Strong, the resolution was adopted.

The speaker announced that he had signed "an act to provide for the collection of taxes heretofore assessed and levied in this territory."

The following message was received from the council.

COUNCIL CHAMBER, CHEYENNE, W. T., }
December 10th, 1869. }

The Hon. Speaker of the House of Representatives :

SIR—I am instructed to inform your honorable body, that the following members have been appointed by the council to meet a similar committee from the house, and jointly wait upon the Governor and inform him that the legislature adjourns sine die, at 12 o'clock to night. Messrs. Wilson, Laycock and Wardman, are appointed such committee. Also that the council has appointed Messrs. Whitehead, Poole and Laycock a committee of conference on all matters of difference between the two houses.

Respectfully.

EDWARD ORPEN,
Secretary of the Council.

On motion of Mr. Strong committees were appointed to meet the committees mentioned in the above communication.

The speaker appointed Messrs. Strong, Sebree and Herrick, the committee to wait on the Governor, and Messrs. Sheeks, Douglass and Menefee, the committee of conference.

The following message was read:

COUNCIL CHAMBER, CHEYENNE, W. T. }
December, 10th, 1869. }

To the Hon. Speaker of the House of Representatives :

SIR—I am instructed to inform your honorable body that the council refuses to concur in your amendment to council bill No. 5, "an act giving liens in certain cases therein named."

Respectfully,

EDWARD ORPEN,
Secretary of the Council.

On motion of Mr. Sheeks the house recedes from its amendments, and the clerk was instructed to inform the council of the action of the house.

The following communication was read:

COUNCIL CHAMBER, CHEYENNE, W. T., }
December 10th, 1869. }

Hon. Speaker of the House of Representatives :

SIR—I am instructed inform the House that the Council has passed house joint resolution No. 10, making appropriations for certain purposes therein named, with the following amendments: Insert after the item in regard to territorial officers contingent fund, the following: "For contingent expenses for two years for the Governor's office, twelve hundred dollars." Also where \$750 occurs for newspapers and printing, be stricken out, and the following substituted therefor: "L. L. Bedell & Co., five hundred

and eleven and forty-four one hundreth dollars; for miscellaneous printing, two hundred and thirty eight and fifty-six one hundreth dollars." Also council memorial No. 15, praying for a grant of land for railroad purposes, &c.

Respectfully,

EDWARD ORPEN,

Secretary of the Council.

On motion of Mr. Strong the council amendments to house resolution No. 10, were concurred in.

Council memorial No. 15 was taken up and read first time.

On motion of Mr. Sheeks further reading of the memorial was dispensed with.

Mr. Strong introduced the following resolution:

Resolved, That the chief clerk of the house, at the close of the session, shall deposit all original bills and papers whatever, which he shall have received as such, in the hands of the secretary of the territory.

Mr. Miller moved the house adopt the resolution. Lost.

On motion of Mr. Miller the house took a recess at 5:05 p. m. till 6:30 p. m.

EVENING SESSION.

House met at 6:30 p. m.

Speaker in the chair.

Absent at roll call—Messrs. Wilson and Haas.

On motion of Mr. Sheeks, rule of the rules for the government of the house was suspended, allowing members to smoke during the evening session.

A message from the council:

COUNCIL CHAMBER, CHEYENNE, W. T., }
December 10th, 1869. }

To the Hon. Speaker of the House of Representatives:

SIR—I am directed by the council, to transmit to the house, the bills, resolutions, &c., from the house, laid on the clerk's table of the council, at the present session of the legislature. House bills Nos. 26, 3, 35, 16, 19; memorial No. 4; resolution No. 9.

Respectfully,

EDWARD ORPEN,

Secretary of the Council.

Mr. Douglass presented the following communication:

HOUSE OF REPRESENTATIVES, }
December 10th, 1869. }

Hon Speaker of the House of Representatives:

SIR—I consider it my duty, and the due of the Hon. E. M.

Lee, that I should testify to the fact, that in all my intercourse with him, as Sergeant-at-arms of the house, in passing between him and the house of representatives, I invariably found him an obliging, courteous gentleman and official, in all things willing and even desirous to do all in his power to accomodate the members of this house.

I have served several terms in the legislatures of Iowa and Nebraska, both as a member and an officer, and I can sincerely and truly say that I never, in all my intercourse with secretaries of states and territories, have had the pleasure of finding a more courteous gentleman and obliging officer, (nor even one as much so), than the Hon. E. M. Lee, Secretary of this territory.

Very respectfully,

Your obedient servant,

WM. BAKER,

Sergeant-at-arms of the House.

Ordered to be spread upon the journal.

On motion of Mr. Sheeks the doorkeeper was instructed not to allow any member to leave the floor of the house without the permission of the house.

On motion of Mr. Abney the house took up house bill No. 8, a bill for "an act to encourage the growth of fruit, shade and forest trees."

The bill was read third time and passed.

Ayes—Messrs. Abney, Douglass, Herrick, Haas, Holbrook, Menefee, Sheeks, Seabee, Strong, Wilson and Mr. Speaker—11.
Nays—Mr. Miller—1.

The speaker signed the following enrolled bills:

"An act apportioning the territory of Wyoming into council and representative districts, and for other purposes."

"An act to increase the salaries of the judges of the supreme court of the territory."

"An act respecting notaries public."

"A memorial to congress praying for an appropriation for the erection of capitol buildings for this territory."

"A memorial to congress praying for increased compensation for the legislative assembly of Wyoming territory."

Recess for 15 minutes at 7:20 p. m.

After recess, on motion of Mr. Miller, absentees were sent for.

On motion of Mr. Sheeks further proceedings under call of the house were dispensed with.

Mr. Haas presented the following report:

Mr. Speaker:

Your committee on enrolled bills have examined house joint resolution, "making appropriations for certain purposes therein specified," report the same to the house correctly enrolled.

H. HAAS.

Chairman of Committee.

The speaker signed the same.

Mr. Sheeks from committee of conference reported:

Mr. Speaker:

Your committee of conference, appointed to consider all matters of difference between the two houses, have to report, that in conjunction with a similar committee from the council, they have had under consideration, council bill No. 56, a bill for "an act to provide for the organization of the enrolled and volunteer militia of Wyoming territory, together with the house substitute therefor, and they recommend, with the concurrence of the council committee, a substitute for the two bills. The substitute is herewith presented.

BEN SHEEKS,

Chairman of Committee.

Mr. Holbrook moved to lay the substitute on the table. Lost.

On motion of Mr. Strong the bill was indefinitely postponed.

The following communication was read:

COUNCIL CHAMBER, CHEYENNE, W. T., }
December 10th, 1869.

Hon. Speaker of the House of Representatives:

SIR—I am instructed to inform the House of the passage by the council of council bill No. 104, a bill for "an act legalizing certain acts of the board of county commissioners and the treasurer of Carter county, in relation to the use of certain moneys belonging to the school fund."

Respectfully,

EDWARD ORPEN,

Secretary of the Council.

Council bill No. 104 was taken up and read first time.

On motion of Mr. Sheeks the rules were suspended, and the bill read a second and third time by title, and put upon its passage. The question being, shall the bill pass?

Ayes—Messrs. Abney, Douglass, Herrick, Haas, Miller, Sheeks, Sebree, Strong and Mr. Speaker—9.

Nays—None.

Bill passed, title agreed to.

The following communication was received.

WYOMING TERRITORY, EXECUTIVE DEPARTMENT, }
Cheyenne, December 10th, 1869.

To the Speaker and Members of the House of Representatives:

SIRS—It gives me great pleasure to acknowledge the receipt of your resolution of a congratulatory character. In response thereto, permit me to say, that although differing with you in opinion, our intercourse has been of the most pleasant and satis-

factory character, and, as we trust, not unproductive of good results.

May the acquaintance so commenced, ripen into an unselfish and permanent friendship.

Very respectfully,

EDWARD M. LEE,

Secretary of Territory.

The following message from the Council was read.

COUNCIL CHAMBER, CHEYENNE, W. T., }
December 10th, 1869. }

To The Hon. Speaker of the House of Representatives:

SIR—I am instructed to inform the house that the council has laid on the table house concurrent resolution No. 9, relative to the time of adjournment of the legislature.

Respectfully,

EDWARD ORPEN,

Secretary of the Council.

Mr. Wilson introduced house bill No. 53, a bill for "an act to provide city officers for Cheyenne." Read first time.

On motion of Mr. Wilson the rules were suspended, and the bill read a second and third time by title, and put upon its passage.

Ayes—Messrs. Abney, Douglass, Herrick, Holbrook, Menefec, Sheeks, Sebrec, Strong and Mr. Speaker—9.

Nays—None.

Bill passed, title agreed to.

On motion of Mr. Sheeks, a call of the house was had, and absentees were sent for.

On motion of Mr. Miller all further proceedings under the call of the house were dispensed with.

The speaker announced that he had signed: "An act to provide for holding elections, and the manner of conducting the same, and for other purposes."

"An act fixing the time of taking effect of certain acts therein named."

The following message was received from the governor:

EXECUTIVE DEPARTMENT, CHEYENNE, W. T., }
December 10th, 1869. }

To the Hon. Speaker of the House of Representatives:

SIR—I have the honor to inform the house of representatives, that I have approved:

"An act to regulate marriages."

"An act to establish a code of civil procedure for the territory of Wyoming."

Very respectfully,

Your obedient servant,

J. A. CAMPBELL.

The following message was received:

WYOMING TERRITORY, EXECUTIVE DEPARTMENT, }
Cheyenne, December 10th, 1869. }

HON. S. M. CURRAN,

Speaker of the House of Representatives:

SIR—I have the honor to acknowledge the receipt of the enrolled bill, which is on file in this office, entitled “an act to prevent intermarriage between white persons and those of negro and mongolian blood.” The said bill having been passed by the legislature, the veto of the Governor to the contrary notwithstanding.

Very respectfully,

EDWARD M. LEE,

Secretary of Wyoming Territory.

A message from the council.

COUNCIL CHAMBER, CHEYENNE, W. T., }
December 10th, 1869. }

Hon. Speaker of the House of Representatives:

SIR—I am instructed to inform the house, that the council refuses to pass house bill No. 8. Bill herewith transmitted.

Respectfully,

EDWARD ORPEN,

Secretary of the Council.

Mr. Strong made the following report;

Mr. Speaker:

Your special committee appointed to wait upon his excellency, the governor, and inform him that the house has about completed its business of the session, and is about to adjourn, have performed the duty assigned them, and report that the Governor will further communicate with the house.

J. C. STRONG,

Chairman of Committee.

The speaker announced that he had signed the following enrolled bill.

“An act legalizing the acts of the board of county commissioners and the treasurer of Carter county, in relation to the use of certain moneys belonging to the school fund.”

Recess for 15 minutes.

After recess the following communication was read:

HOUSE OF REPRESENTATIVES, }
December 10th, 1869.

To the Speaker and Members of the House of Representatives:

GENTLEMEN—With feelings of heartfelt gratitude I tender to the honorable members of this assembly, my sincere thanks for the complimentary resolution adopted by the house this day.

In taking leave of each other at the final adjournment of this session of the legislature, I shall take to my home the remembrance of your kindness to me in dealing so leniently with whatever mistakes I may have made, mistakes always unavoidable to a person occupying a new position.

Should it please God that we never meet again, I shall ever cherish a sincere respect and regard for each and every member of this house.

Hoping, gentlemen, that you each may enjoy a long life and a happy and prosperous one. I remain,

Very respectfully,

Your obedient servant,

WM. C. STANLEY,

Asst. Clerk of the House.

Ordered spread upon the journal.

The following communication was received:

COUNCIL CHAMBER, CHEYENNE, W. T., }
December 10th, 1869.

Hon. Speaker of the House of Representatives:

SIR—I am instructed by the council to inform the house, that the council has passed the following bills notwithstanding the Governor's objections thereto by a vote of ayes 8, nays none.

"An act to organize the county of Carter, to establish the boundary lines thereof and for the appointment of officers therein."

"An act to establish the boundary lines of Albany county, and for the appointment of officers therein."

Bills herewith transmitted.

EDWARD ORPEN,

Secretary of Council.

Mr. Strong presented the following report:

Mr. Speaker:

Your committee on ways and means, to whom was referred council memorial No. 8, praying for an appropriation to increase the salaries of the chief justice and associate justices of Wyoming territory, have examined the same and report it back, recommending its passage.

J. C. STRONG,

Chairman of Committee.

On motion of Mr. Menefee, report adopted.

On motion of Mr. Strong the memorial was read a third time by title and put upon its adoption.

A vote was taken on the adoption of the memorial.

Ayes—Messrs. Herrick, Sheeks, Strong, Wilson and Mr. Speaker—5.

Nays—Messrs. Holbrook, Miller, Menefee and Sebree—4.

Memorial was adopted.

The following communication was received from the secretary of the territory.

EXECUTIVE DEPARTMENT, CHEYENNE, W. T., }
December 10th, 1869. }

HON. S. M. CURRAN,

Speaker of the House of Representatives:

SIR—I have the honor to acknowledge the receipt of the following enrolled bills, which are on file in my office, passed by the legislative assembly, the veto of the Governor to the contrary notwithstanding, viz.: “An act fixing the compensation of members, clerks and other officers of the legislative assembly of the territory of Wyoming.”

“An act to establish the boundary lines of Albany county and for the appointment of officers therein.”

“An act to organize the county of Carbon, to establish the boundary lines thereof and for the appointment of officers therein.”

Very respectfully,

EDWARD M. LEE,

Secretary of Wyoming.

The following message was received from the council.

COUNCIL CHAMBER, CHEYENNE, W. T., }
December 10th, 1869. }

Hon. Speaker of House of Representatives:

SIR—I am instructed to inform the house of the passage by the council of house bill No. 52, a bill for “an act to repeal the laws of Dakota, now in force in this territory,” with the following amendment. Strike out the word “obligations” in section 1, line 6, and insert instead the word “liabilities.”

EDWARD ORPEN,

Secretary of the Council.

On motion of Mr. Sheeks the amendment was concurred in.

Mr. Wilson introduced the following resolution:

The speaker called Mr. Sebree to the chair.

Resolved, That the house extend to his excellency, Governor

J. A. Campbell, a vote of thanks for his courtesy in relation to it.

That differing from him politically, they regard him as a

sincere and honest official, having at heart the interests of the people.

That socially they hold him in high esteem.

That before going to their homes, the members severally, take pleasure in wishing him health and prosperity.

On motion of Mr. Curran the resolution was adopted unanimously.

The speaker resumed the chair.

Mr. Haas presented the following report:

Mr. Speaker:

Your committee on enrolled bills, have examined the house bill No. 52, "an act to repeal the laws of Dakota now in force in this territory," and report the same correctly enrolled.

H. HAAS,

Chairman of Committee.

The speaker signed the bill.

Recess for 15 minutes.

After recess the speaker announced that he had signed, "an act to provide for funding the debt of Wyoming territory, and for other purposes."

"A memorial and joint resolution to congress, praying for an increase of salary for the federal judges of Wyoming territory."

On motion of Mr. Wilson there was a call of the house.

On motion of Mr. Sheeks all further proceedings under the call were dispensed with.

The following message was received from his excellency the Governor.

WYOMING TERRITORY, EXECUTIVE DEPARTMENT, }
CHEYENNE, December 10th, 1869. }

To the Hon. Speaker of the House of Representatives:

SIR—I have the honor to inform the house that I have approved, "an act to repeal the laws of Dakota, now in force in this territory." "A joint resolution, making certain appropriations."

Very respectfully,

J. A. CAMPBELL.

The speaker announced that he had signed "an act giving liens in certain cases therein named."

The speaker called for the reading of the journal of the day.

Pending the reading, Mr. Abney moved the further reading of the journal be dispensed with, and it be approved. Carried.

House adjourned sine die, at 12 p. m.

Approved,

S. M. CURRAN,

Attest,

Speaker of House of Representatives,

WM. C. STANLEY, *Asst. Clerk.*